

Council Substitute for House Bill No. 1097

An act relating to the Lealman Special Fire Control District, Pinellas County; creating a task force to review provisions governing authority over district lands annexed by municipalities or other fire control districts; providing for membership and meetings of the task force; requiring the hiring of a professional facilitator; requiring a report; amending chapter 2000-426, Laws of Florida, as amended, to defer the future repeal of provisions granting the district taxing, enforcement, and service-providing authority over district lands annexed by municipalities or other fire control districts; repealing sections 3 and 4 of chapter 2002-352, Laws of Florida, to conform; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Lealman Special Fire Control District Task Force.—

(1) There is created the Lealman Special Fire Control District Task Force. The task force shall consist of four voting members as follows: the chair of the Lealman Fire Control District Board of Supervisors, one member appointed by the Mayor of the City of Pinellas Park, one member appointed by the Mayor of the City of St. Petersburg, and one member appointed by the Pinellas County Board of County Commissioners. The Mayor of Kenneth City and the Mayor of the City of Seminole may each appoint one ex officio nonvoting member to the task force.

(2) The task force shall initially meet not later than 30 days after the effective date of this act to organize and elect a chair from its members. The task force shall meet subsequently at the call of the chair but not less than twice a year.

(3) The task force shall review the changes to sections 3(2) and 11 of section 1 of chapter 2000-426, Laws of Florida, made by sections 1 and 2 of chapter 2002-352, Laws of Florida, which granted the district taxing, enforcing, and service-providing authority over district lands annexed by any municipality or other fire control district, and shall consider whether the future repeal of those changes as provided in this act should be rescinded. From district funds, the task force shall hire a professional facilitator who has experience with local government to assist it in this review.

(4) The task force shall provide a report with its findings and recommendations to the Pinellas County Legislative Delegation no later than November 1, 2007.

Section 2. Effective July 1, 2008, subsection (2) of section 3 of section 1 of chapter 2000-426, Laws of Florida, as amended by section 1 of chapter 2002-352, Laws of Florida, is amended to read:

Section 3. Formation; boundaries.—

(2) Any lands within a municipality included in the boundaries of the District, as described herein, shall be excluded from the District and its jurisdiction. If any area, tract, or parcel of land within the boundaries of the District shall hereafter become annexed to a municipality, such area, tract, or parcel of land shall be excluded from the District effective the next January 1 following such annexation by a municipality; ~~however, the District shall continue to provide services to the annexed area pursuant to section 11.~~

Section 3. Effective July 1, 2008, section 11 of section 1 of chapter 2000-426, Laws of Florida, as amended by section 2 of chapter 2002-352, Laws of Florida, is amended to read:

Section 11. Annexation of territories by municipalities ~~or other fire control districts.~~—For the purposes and requirements of this Act, after the annexation by a municipality of any unincorporated area within the Lealman Special Fire Control District, the annexed area shall be treated as lying within the corporate boundaries of the annexing municipality and shall not be subject to a levy of the ad valorem tax that is authorized by this Act. Notwithstanding chapter 171, Florida Statutes, or any other applicable law or ordinance, if any municipality or other fire control district annexes land within the District, ~~the District shall continue as the sole taxing, enforcing, and service-providing authority for District purposes in the annexed land. However, any municipality or other fire control district that annexes such land may collect the applicable assessment or tax for fire services and pay the District for such services at the District's annually adopted standard rate.~~

Section 4. Sections 3 and 4 of chapter 2002-352, Laws of Florida, are repealed.

Section 5. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor June 27, 2007.

Filed in Office Secretary of State June 27, 2007.