

Council Substitute for Committee Substitute for
Committee Substitute for House Bill No. 1147

An act relating to the Spring Hill Fire Rescue and Emergency Medical Services District, Hernando County; creating a special district; providing definitions; providing for creation, status, charter amendments, boundaries, and purposes; providing for a board of commissioners; providing for election and terms of commissioners; providing for employment of district personnel; providing for election of board officers; providing for compensation, oath, and bonds of commissioners; providing for powers, duties, and responsibilities of the board; providing for ad valorem taxes; providing a cap on the rate of taxation; providing for user charges; providing for impact fees; providing for authority to disburse funds; authorizing the board to borrow money; providing for use of district funds; requiring a record of all board meetings; authorizing the board to adopt policies and regulations; providing for the board to make an annual budget; requiring an annual report; authorizing the board to enact fire prevention ordinances; authorizing the district to appoint a fire marshal; authorizing the district to conduct inspections and establish and operate fire, rescue, and emergency medical services; providing for district authority upon annexation of district lands; providing for dissolution; providing immunity from tort liability for officers, agents, and employees; providing for district expansion; providing for construction and effect; providing for an exclusive charter; requiring a referendum; providing an effective date.

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

Section 1. Definitions.—As used in this act, unless otherwise specified:

(1) “Board” means the board of fire commissioners created pursuant to this act and chapter 191, Florida Statutes.

(2) “Fire commissioner” means a member of the Board of Fire Commissioners of the Spring Hill Fire Rescue and Emergency Medical Services District.

(3) “District” means the Spring Hill Fire Rescue and Emergency Medical Services District.

(4) “Residence” means one single-family dwelling, including one single-apartment dwelling unit; one single-condominium dwelling unit; one single duplex, triplex, or other attached dwelling unit; one single-family detached dwelling unit; or one single mobile or modular home dwelling unit.

(5) “Business” means motels, apartments, or rental dwellings, along with other standard commercial or industrial businesses such as gasoline stations, stores, marinas, and similar establishments, as authorized pursuant to the applicable local government comprehensive plan, whether or not such businesses are required to pay or collect sales taxes.

Section 2. Creation; status; charter amendments; boundaries; district purposes.—

(1) There is hereby created an independent special fire control district incorporating lands in Hernando County described in subsection (2), which shall be a public corporation having the powers, duties, obligations, and immunities herein set forth under the name of the Spring Hill Fire Rescue and Emergency Medical Services District. The district is organized and exists for all purposes and shall hold all powers set forth in this act and chapters 189 and 191, Florida Statutes.

(2) The lands to be included within the district are the following described lands of Spring Hill, in Hernando County, to wit:

For a Point of Beginning (P.O.B.), commence at the intersection of the East Section line of Section 34, Township 23, Range 18 East projected South and the Centerline of the Right-of-Way of County Line Road.

Thence; Go Northerly along the aforementioned East Section line of Section 34, Township 23, Range 18 East, Section 27, Township 23, Range 18 East.

Thence; East along the North Section line of Section 26, Township 23, Range 18 East, terminating at the North East comer of the West V2 of Section 26, Township 23, Range 18 East.

Thence; Northerly along the East Section line of the West ½ of Section 23, Township 23, Range 18 East terminating at the intersection of that line and the centerline of the Right-of-Way of Spring Hill Drive.

Thence; Easterly along the centerline of the Right-of-Way of Spring Hill Drive to a point of intersection constructed by extending the East boundary of Candy Road, in a Southerly direction.

Thence; Northerly along the Eastern boundary of Candy Lane to the limits of the plat of Quail Meadows, Phase I.

Thence; Southwesterly along the rear property lines of Lots 13-22 inclusive of Quail Meadows, Phase I, to the Northern boundary of Atwater Drive.

Thence; Westerly along said Northern boundary of Atwater Drive to the limits of the plat of Quail Meadows, Phase I, said point being the West Section line of Section 13, Township 23 South, Range 18 East.

Thence; Northerly along said West Section line to the North.

Thence; Northerly along the aforementioned West Section line to a point of intersection with the centerline of Powell Road and said Section line.

Thence; Westerly along Powell Rd. to a point of intersection with the East line of the West ½ of Section 10, Township 23 South, Range 18 East.

Thence; Northerly along aforementioned Section line commencing at the North line of said Section 10, Township 23 South, Range 18 East.

Thence; Westerly along the North Section line of Section 10, Township 23 South, Range 18 East continuing Westerly along the South Section

line of Section 4, Township 23 South, Range 18 East; terminating at a point, constructed by the intersection of said Section line and the East Boundary line of Spring Hill Unit 18-2; Plat Book 17, Page 30, sheet 2 of 6 as recorded in the Public Records of Hernando County;

Thence; Northerly-along the East Boundary line of the aforementioned Plat Book 17, Page 30;

Thence; Northerly along the East Boundary line of Plat Book #17, Page 69 as recorded in Hernando County Public Record. (To PB9-65-80)

Thence: Northerly along the East Boundary line as shown in Plat Book 9, Page 69, Spring Hill Unit 20.

Thence; Easterly along the South Boundary line as shown in Plat Book 9, Sheet 9, of Spring Hill Unit 20.

Thence; Run Northerly along the West Right-of-Way line of the Florida Power Corporation Easement as shown on Sheet 9, Sheet 10, and Sheet 12, Plat Book 9; Spring Hill Unit 20, as recorded in Hernando County Public Records.

Thence; Run $89^{\circ}38'00''$ W, a distance of 377.25 feet from the North East corner of the Platted Boundary as recorded in Plat Book 9, Page 76.

Thence; $N00^{\circ}07'10''$ W, a distance of 944.51 feet,

Thence; $N89^{\circ}44'10''$ W, a distance of 1,324.27 feet

Thence; $N00^{\circ}06'12''$ E; 942.14 feet along the East line of the West $\frac{1}{2}$ of Section 33, Township 22 South, Range 18 East.

Thence; $N00^{\circ}05'42''$ W, 1,848.49 feet to the South Right-of-Way line of State Road #50.

Thence; Westerly along the South Right-of-Way line of State Road #50; $89^{\circ}31'17''$ W a distance of 1,322.86 feet.

Thence; $S00^{\circ}02'58''$ E, a distance of 916.82 feet; $89^{\circ}50'34''$ W, a distance of 1,323.56 feet; $S00^{\circ}00'12''$ E, a distance of 909.40 feet to the Centerline of the Florida Power Corp. Right-of-way.

Thence; Westerly along the South centerline of a Florida Power Right-of-Way line as described in O.R. Book #713, Pages 20 & 22. (Attached)

Thence; Northerly along the West Boundary line of aforementioned O.R. Book #713, to the South Right-of-Way line of State Road #50.

Thence; Approximately 1,015.00 feet, Westerly along the South Right-of-Way line of State Road #50.

Thence; South approximately 750.00 feet.

Thence; West approximately 2,500.00 feet.

Thence; North approximately 750 feet to the South Right-of-Way line of State Road #50.

Thence; In a Westerly direction follow the South Right-of-Way line of State Road #50 to the intersection of said line and the East Section line of Section 2, Township 23 South, Range 17 East.

Thence; Run Southerly along the aforementioned East Section line to the North Boundary line of Spring Hill Unit 22, Replat, Block 1484, Plat Book 12, Page 81, as recorded in Hernando County Public Records.

Thence; Westerly along the aforementioned Boundary line to the East Right-of-Way line of U.S. 19.

Thence; Southerly along the East Right of Way line of U.S. 19, to the Centerline of the Right-of-Way of Northcliffe Boulevard.

Thence; Southerly along the centerline of the Right-of-Way of Northcliffe Boulevard to the West Boundary line of Spring Hill Unit #26.

Thence; Southerly along the West Boundary line of Spring Hill Unit #26, commencing at the South Section line of Section 10, Township 23 South, Range 117 East.

Thence; West along the aforementioned South Section line, Westerly to the centerline of the Right-of-Way of U.S. 19.

Thence; South along the centerline of the Right-of-Way of U.S. 19 to a point, constructed by extending the Centerline of Greenleaf Way and the aforementioned centerline of Right-of-Way of U.S. 19.

Thence; Westerly from said point to the West Boundary line of Weeki Wachee Woodlands Unit 2, Plat Book #7, Page 10.

Thence; Southerly along the said West Boundary line to the North Boundary line of Weeki Wachee Acres Unit 2, Plat Book 6; Page 46;

Thence; Westerly along aforementioned North Boundary line;

Thence; Southerly along the West Boundary line of aforementioned Weeki Wachee Acres Unit 2;

Thence; 240.00 feet East, to the centerline of the Right-of-Way of U.S. 19.

Thence; South along the centerline of the Right-of-Way of U.S. 19 to the Intersection of said Right-of-Way and Trenton Avenue.

Thence; Southerly along Trenton Avenue to a point on the South Section line of Section 20, Township 23 South, Range 17 East;

Thence; Westerly along said Section line to the centerline of the Right-of-Way of U.S. 19.

Thence; South along the centerline of the Right-of-Way of U.S. 19, to a point of Intersection with the North Boundary line of South Hernando U.S. 19, Commerce Center; Plat Book #17, Pages 11 through 15.

Thence; West from the aforementioned point; to the West Boundary line of South Hernando U.S. 19, Commerce Center.

Thence; Southerly along the West Boundary line, to the S.W. corner of aforementioned Plat;

Thence; Easterly to the centerline of the Right-of-Way of U.S. 19.

Thence; South along the centerline of the Right-of-Way of U.S. 19, to a point of intersection with the North Boundary of South Hernando U.S. 19 Commerce Center Plat Book #17, Pages 11 thru 16.

Thence; Westerly from said point, along the North Boundary line.

Thence; Southerly along the West Boundary line of the aforementioned Plat;

Thence; Easterly along the South Boundary line of said Plat terminating at the centerline of the Right-of-Way of U.S. #19.

Thence; Southerly along the centerline of the Right-of-Way of U.S. 19 terminating at the Intersection of said Right-of-Way and the centerline of the Right-of-Way of County Line Road.

Thence; Easterly from aforementioned said point along the centerline of the Right-of-Way of County Line Road.

Thence; Easterly, from the aforementioned terminus, along the centerline of the Right-of-Way of County Line Road, to a point of Intersection of the West Boundary line of Arkays Park Subdivision.

Thence; Northerly along the aforementioned West Boundary line.

Thence; Easterly along the aforementioned North Boundary line.

Thence; Southerly along the East Boundary line of the aforementioned Plat terminating at the intersection of that line and the centerline of the Right-of-Way of County Line Road.

Thence; Easterly, from that terminus point, along the centerline of the Right-of-Way of County Line Road and returning to the Point of Beginning. P.O.B.

LESS:

West 11.5A of Northwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ Section 4, Township 23, Range 8

Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ less North 292 feet of East 825 feet, Section 29, Township 23, Range 17

5 acres in Northwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of Section 32, Township 23, Range 17

(3) The Spring Hill Fire Rescue and Emergency Medical Services District is organized and exists for all purposes set forth in this act and chapter 191, Florida Statutes, including, but not limited to, providing fire protection and firefighting services, rescue services, and emergency medical services. Such emergency medical services shall not be the primary function of the district. The district shall have all other powers necessary to carry out these purposes, including the authority to contract with the Spring Hill Fire Rescue District, which currently provides fire, rescue, and emergency medical services within the district boundaries; to purchase all necessary real and personal property; to purchase and carry standard insurance policies on all such equipment; to employ such personnel as may be necessary to carry out the purpose of said fire district; to provide adequate insurance for said employees; to purchase and carry appropriate insurance for the protection of all firefighters and personnel as well as all equipment and personal property on loan to the district; to sell surplus real and personal property in the same manner and subject to the same restrictions as provided for such

sales by counties; and to enter into contracts with qualified service providers to carry out the purposes of the district.

(4) Nothing herein shall prevent the district from cooperating with the state or other local governments to render such services to communities adjacent to the land described in this section as evidenced by an executed agreement between the cooperating agencies as approved by the board.

(5) The district charter may be amended only by special act of the Legislature.

Section 3. Board of fire commissioners.—

(1) Pursuant to chapter 191, Florida Statutes, the business and affairs of the district shall be governed and administered by a board of five fire commissioners, who shall be qualified electors residing within the district and shall be elected by the qualified electors residing within the district, subject to the provisions of chapters 189 and 191, Florida Statutes, and this act. Each commissioner shall hold office until his or her successor is elected and qualified under the provisions of this act. The procedures for conducting district elections and for qualification of candidates and electors shall be pursuant to chapters 189 and 191, Florida Statutes. The members of the board shall serve on a nonpartisan basis.

(2) The five fire commissioners shall hold their respective seats on the Board of Fire Commissioners of the Spring Hill Fire Rescue and Emergency Medical Services District for terms of 4 years each and shall be elected by a majority vote of the qualified electors of the district voting at a general election; provided, however, that the persons who are the members of the policymaking and governing body of the Spring Hill Fire Rescue and Emergency Services District of Hernando County on the date this act becomes law shall be the initial fire commissioners and shall serve as fire commissioners for terms equal to the remainder of their terms on the policymaking and governing body of the Spring Hill Fire Rescue and Emergency Services District of Hernando County or until their successors are elected and qualified, whichever occurs first. Any commissioner may be a candidate to succeed himself or herself.

(3) Vacancies in office shall be filled by election, said election to be held coincidental with the next countywide general election to fill the remaining term of the seat vacated. The board of fire commissioners may appoint a qualified elector of the district to act as fire commissioner until the vacancy is filled by election. A fire commissioner may be removed from office as provided by chapter 191, Florida Statutes, or for any reason that a state or county officer may be removed.

(4) All elections shall be noticed, called, and held pursuant to the provisions of the general laws of the state. The board shall, to the extent possible, coordinate all elections with countywide general or special elections in order to minimize cost. Elections shall be called through the adoption of an appropriate resolution of the district directed to the Board of County Commissioners of Hernando County, the Supervisor of Elections of Hernando County, and other appropriate officers of the county. The district shall reimburse

county government for the actual cost of district elections. No fire commissioner shall be a paid employee of the district while holding said position.

(5) The board may employ such personnel as deemed necessary for the proper function and operation of the district.

(6) The salaries of district personnel and any other wages shall be determined by the board.

Section 4. Officers; board compensation; bond.—

(1) In accordance with chapter 191, Florida Statutes, each elected member of the board shall assume office 10 days after the member's election. Within 60 days after election of new members of said board as herein provided, the newly elected members shall organize by electing from their number a chair, vice chair, secretary, and treasurer. However, the same member may be both secretary and treasurer, in accordance with chapter 191, Florida Statutes.

(2) Three members of the board shall constitute a quorum. A quorum shall be necessary for the transaction of business.

(3) The fire commissioners may receive reimbursement for actual expenses incurred while performing the duties of their offices in accordance with general law governing per diem for public officials. Each fire commissioner may receive from the funds of the district compensation for his or her services in accordance with chapter 191, Florida Statutes.

(4) Each fire commissioner upon taking office shall take and subscribe to the oath of office prescribed by s. 5(b), Art. II of the State Constitution and general law. Upon taking office and in accordance with chapters 189 and 191, Florida Statutes, each fire commissioner shall execute to the Governor, for the benefit of the district, a bond of \$5,000 with a qualified personal or corporate surety, conditioned upon the faithful performance of the duties of the fire commissioner's office and upon an accounting for all funds that come into his or her hands as fire commissioner. The premium for such bonds shall be paid from district funds.

Section 5. Powers; duties; responsibilities.—

(1) The district shall have and the board may exercise by majority vote all of the powers and comply with the duties set forth in this act and chapters 189, 191, and 197, Florida Statutes, including, but not limited to, ad valorem taxation, special assessments, bond issuance, and other revenue capabilities; budget preparation and approval; liens and foreclosure of liens; use of tax deeds and tax certificates as appropriate from non-ad valorem assessments; contractual agreements; and the adoption of ordinances and resolutions that are necessary to conduct district business if such ordinances do not conflict with any ordinance of a local general-purpose government within whose jurisdiction the district is located.

(2) The board shall have the right, power, and authority to levy annually ad valorem taxes against the taxable property within the district to provide

funds for the purposes of the district in an amount not to exceed the limit provided in chapter 191, Florida Statutes.

(3) The methods for assessing and collecting ad valorem taxes, special assessment fees, services charges, impact fees, or user charges shall be as set forth in this act and chapter 170, chapter 189, chapter 191, chapter 197, or chapter 200, Florida Statutes.

(4) The district shall levy and collect special assessments in accordance with chapter 200, Florida Statutes.

(5) The district's planning requirements shall be as set forth in this act and chapters 189 and 191, Florida Statutes.

(6) Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for officers and employees shall be as set forth in this act and chapters 112, 119, 189, 191, and 286, Florida Statutes.

Section 6. Ad valorem taxes.—

(1) The board shall have the authority to levy ad valorem taxes annually against all taxable property within the district to provide funds for the purposes of the district only upon the approval by a majority vote of those qualified electors of the district voting in a referendum election authorizing the use of ad valorem taxation not to exceed 2.5 mills.

(2) A referendum election of the electors of the district to authorize the use of ad valorem taxation not to exceed 2.5 mills shall be held by the supervisor of elections at the next available general election immediately after the adoption of this act in accordance with the provisions of general law relating to elections.

(3) Upon the approval of a majority of the electors voting at the initial election or at an election called by the board, the rate of taxation shall thereafter be fixed annually by resolution of the board without further approval by the electors, provided the rate of taxation shall not exceed 2.5 mills. The board shall have the authority to increase the millage rate above 2.5 mills only if a majority of the electors voting in a referendum election approve the increased millage rate in an amount not to exceed the limit provided in chapter 191, Florida Statutes.

(4) The levy and collection of ad valorem taxes shall proceed pursuant to general law.

Section 7. User charges.—The board shall have the authority to provide a reasonable schedule of charges for providing the following services:

(1) Special emergency services, including firefighting occurring in or to structures outside the district, motor vehicles, marine vessels, or aircraft or as a result of the operation of such motor vessels or marine vessels to which the district is called to render such emergency service.

(2) Fighting fires occurring in or at refuse dumps or as a result of an illegal burn, which fire, dump, or burn is not authorized by general or special law, rule, regulation, order, or ordinance and which the district is called upon to fight or extinguish.

(3) Responding to or assisting or mitigating emergencies that either threaten or could threaten the health and safety of persons, property, or the environment to which the district has been called, including charges for responding to false alarms.

(4) Inspecting structures, plans, and equipment to determine compliance with fire safety codes.

Section 8. Impact fees.—

(1) Pursuant to section 191.009(4), Florida Statutes, it is hereby declared that the cost of new facilities should be borne by new users of the district's services to the extent new construction requires new facilities, but only to that extent. It is the legislative intent of this section to transfer to the new users of the district's fire protection and emergency services a fair share of the costs that new users impose on the district for new facilities. This shall only apply in the event that the general-purpose local government in which the district is located has not adopted an impact fee for fire services that is distributed to the district for construction within its jurisdictional boundaries.

(2) The impact fees collected by the district pursuant to this section shall be kept as a separate fund from other revenues of the district and shall be used exclusively for the acquisition, purchase, or construction of new facilities or portions thereof required to provide fire protection and emergency services to new construction. "New facilities" means land, buildings, and capital equipment, including, but not limited to, fire and emergency vehicles and radio telemetry equipment. The fees shall not be used for the acquisition, purchase, or construction of facilities that must be obtained in any event, regardless of growth within the district. The board of fire commissioners shall maintain adequate records to ensure that impact fees are expended only for permissible new facilities.

Section 9. Special assessments.—

(1) The board shall have the right, power, and authority to levy special assessments against the taxable real estate within the district, including homestead property otherwise exempt from taxation, to provide funds for the purpose of the district. In so doing, the district shall establish a schedule of land-use classifications and a special assessment for each land-use classified. The schedule of land-use classifications shall be established in the manner prescribed in subsection (2).

(2) The Board of Fire Commissioners of the Spring Hill Fire Rescue and Emergency Medical Services District shall fix an assessment schedule indicating land-use classifications and the applicable assessment rate for each land-use classified, by resolution, subsequent to April 1 of each year. If the

assessment schedule contains no new land-use classification and no increases in the rate of assessment, the assessment shall be effective for the next calendar year after the passage of the resolution without the necessity of a referendum. If, however, the assessment schedule contains any new land-use classification or any increase in the assessment rate of any land-use classified, the board of fire commissioners shall submit their resolution to the electors residing in the district in accordance with law and if a majority of electors voting in such a referendum election approve, the assessment schedule shall be effective for the next calendar year subsequent to the referendum.

(3) The board of fire commissioners of the district shall, on or before September 10 of each year, prepare and complete a special assessment roll showing the assessment rate for each parcel of real estate situated in the district.

(4) The board of fire commissioners may, in any year, by resolution, change the date on which the assessment schedule is to be fixed and the date on which the final assessment roll is to be adopted, provided that, in the event of any such change of date, the board shall cause a notice to be published in a newspaper in Hernando County, one time, said notice to be published at least 10 days prior to the date on which it is proposed to fix the rate of assessment.

(5) Any property owner in the district may, during the period between November 5 and November 15 of any year, file a protest in writing with the board of fire commissioners against the assessment paid by him or her and appear before the board in support of such protest. The board shall hold such meeting as may be necessary after said period to consider any such protest and to make any such adjustment, refund, or denial as it may determine fair, equitable, and proper.

Section 10. Property appraiser.—

(1) The Hernando County Property Appraiser shall furnish the commissioners a tax roll covering all taxable properties within the district on or before July 1 of each year.

(2) The Hernando County Property Appraiser shall include in the Hernando County tax roll the assessments made by the board, and the same shall be collected in the nature as provided for by this act and paid over by the Hernando County Tax Collector to the board.

(3) The Hernando County Property Appraiser shall be reimbursed for assessing such special assessments in the manner and amount authorized by general law, and the Hernando County Tax Collector shall receive a commission or fee of 3 percent for collection of such special assessments.

Section 11. Special assessment as a lien.—The special assessment levied and assessed by the district shall be a lien upon the property so assessed along with the county taxes assessed against such property until said assessments and taxes have been paid, and if the special assessment levied by the district becomes delinquent, such special assessment shall be considered

a part of the county tax subject to the same penalties, charges, fees, and remedies for enforcement and collection of such taxes.

Section 12. Deposit of special assessments; fees; authority to disburse funds.—

(1) The proceeds of the assessments and funds of the district shall be deposited in qualified public depositories, in accordance with chapters 191 and 280, Florida Statutes, in the name of the district in a bank authorized to receive deposits of district funds. The bank shall be designated by a resolution of the board.

(2) All warrants for the payment of labor, equipment, and other expenses of the board, and in carrying into effect this act and the purpose thereof, shall be payable by the treasurer of the board on accounts and vouchers approved and authorized by the board. No funds of the district shall be paid out or disbursed except by check signed by the treasurer of the board and either the chair or vice chair of the board.

Section 13. Authority to borrow money.—

(1) The board of fire commissioners shall have the power and authority to borrow money or issue other evidences of indebtedness for the purposes of the district in accordance with chapters 189 and 191, Florida Statutes, provided, however, that the total payments in any 1 year, including principal and interest, on any indebtedness incurred by the district shall not exceed 50 percent of the total annual budgeted revenues of the district.

(2) The board of fire commissioners as a body, or any of the members of the board as individuals, shall not be personally or individually liable for the repayment of such loan. Such repayment shall be made out of the receipts of the district, except as provided in this subsection. The fire commissioners shall not create any indebtedness or incur obligations for any sum or amount that they are unable to repay out of district funds available to them at that time, except as otherwise provided in this act, provided, however, that the fire commissioners may make purchases of equipment on an installment basis as necessary if funds are available for the payment of the current year's installment on such equipment plus the amount due in that year on any other installments and the repayment of any bank loan or other existing indebtedness that may be due that year.

Section 14. Use of district funds.—No funds of the district shall be used for any purposes other than the administration of the affairs and business of the district; the payment of salaries and expenses to fire commissioners; the construction, care, maintenance, upkeep, operation, and purchase of firefighting and rescue equipment or a fire station or emergency medical station; the payment of public utilities; the payment of salaries of district personnel; the payment of expenses of volunteers; the payment to the Spring Hill Fire Rescue District; and such other payment and expenses as the board may from time to time determine to be necessary for the operations and effectiveness of the district.

Section 15. Record of board meetings; authority to adopt rules and regulations; annual reports; budget.—

(1) A record shall be kept of all meetings of the board, and in such meetings concurrence of a majority of the fire commissioners present shall be necessary to any affirmative action by the board.

(2) The board shall have the authority to adopt and amend policies and regulations for the administration of the affairs of the district under the terms of this act and chapters 189 and 191, Florida Statutes, which shall include, but not be limited to, the authority to adopt the necessary rules and regulations for the administration and supervision of the property and personnel of the district; for the prevention of fires, fire control, fire hydrant placement, and flow testing in accordance with current NFPA rules; and for rescue work within the district.

(3) The board of fire commissioners shall have the authority to adopt uniform fire prevention ordinances. Such ordinances shall be signed, dated, and recorded with the Clerk of the Court of Hernando County and published as provided by state law. Ordinances shall be effective after publication, which constitutes legal notice of same.

(4) The board shall, on or before November 1, make an annual report of its actions and accounting of its funds as of September of that year and shall file said report in the office of the Clerk of the Circuit Court of Hernando County, whose duty it shall be to receive and file said report and hold and keep the same as a public record.

(5) For the purposes of carrying into effect this act, the board shall annually prepare, consider, and adopt a district budget pursuant to the applicable requirements of chapters 189 and 191, Florida Statutes. The board shall, at the same time as it makes its annual report, file its estimated budget for the fiscal year beginning October 1, which budget shall show the estimated revenue to be received by the district and the estimated expenditures to be incurred by the district in carrying out its operations. The fire commissioners shall adopt a fiscal year for said fire district, which shall be October 1 to September 30.

Section 16. Authority to enact fire prevention ordinances and enter land; authority to provide fire, rescue, and emergency medical services.—

(1) The board of fire commissioners shall have the right and power to enact fire prevention ordinances as provided by general law.

(2) The fire marshal or duly authorized inspector shall be authorized to enter, at all reasonable hours, any building or premises for the purpose of making any inspection or investigation which the State Fire Marshal is authorized to make pursuant to state law and regulation. The owner, lessee, manager, or operator of any building or premises shall permit the district fire marshal or duly authorized inspector to enter and inspect the building or premises at all reasonable hours. The fire marshal or duly authorized inspector shall report any violations of state fire safety laws or regulations to the appropriate officials.

(3) The district is authorized to establish and maintain emergency medical and rescue response services and acquire and maintain rescue, medical, and other emergency equipment, subject to the provisions of chapter 401, Florida Statutes.

Section 17. Annexations.—If any municipality or other fire control district annexes any land included in the district, such annexation shall follow the procedures set forth in section 171.093, Florida Statutes.

Section 18. Dissolution.—The district shall exist until dissolved in the same manner as it was created.

Section 19. Immunity from tort liability.—

(1) The district and its officers, agents, and employees shall have the same immunity from tort liability as other agencies and subdivisions of the state. The provisions of chapter 768, Florida Statutes, shall apply to all claims asserted against the district.

(2) The district fire commissioners and all officers, agents, and employees of the district shall have the same immunity and exemption from personal liability as is provided by chapter 768, Florida Statutes.

(3) In accordance with chapter 768, Florida Statutes, the district shall defend all claims against the fire commissioners and officers, agents, and employees of the district which arise within the scope of employment or purposes of the district and shall pay all judgments against said persons, except where said persons acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property.

Section 20. District expansion.—The corporate limits of the Spring Hill Fire Rescue and Emergency Medical Services District may be extended and enlarged from time to time pursuant to the following procedure:

(1)(a) A definitely described tract of land lying contiguous to the boundaries of the district described in section 1, or as the same may from time to time exist, or one or more tracts of land lying contiguous to the boundaries, or one or more tracts of land lying contiguous to each other with one of the tracts lying contiguous to the boundaries of the district, may be included in the district when a written petition for inclusion signed by a majority of the owners of the real property within the tract or tracts to be included in the district has been presented to the board of fire commissioners and the proposal has been approved by the affirmative vote of no fewer than three members of the board of fire commissioners at a regular meeting.

(b) The petition must contain the legal description of the property sought to be added to the district and the names and addresses of the owners of the property.

(2) If a proposal to add an area to the district as defined in subsection (1) is approved by the affirmative vote of no fewer than three members of the board of Fire Commissioners at a regular meeting, the board of Fire Commissioners shall thereafter adopt a resolution describing the lands to be

included within the district and shall cause such resolution to be duly enrolled in the record of the meeting and a certified copy of the resolution to be recorded in the office of the Clerk of the Circuit Court in Hernando County.

(3) Upon adoption of the resolution by the board, the district shall, pursuant to chapter 19 I, Florida Statutes, request its legislative delegation to approve said addition and sponsor legislation amending the district boundary. Upon approval by the Legislature, the boundary shall be amended.

(4) In lieu of a petition from the property owners, the Board of County Commissioners of Hernando County by affirmative resolution and the Board of Commissioners of the Spring Hill Fire Rescue and Emergency Medical Services District by affirmative resolution may jointly request its legislative delegation to approve the addition of land lying contiguous to the boundaries of the district and sponsor legislation amending the district boundary. Upon approval by the Legislature, the boundary shall be amended.

Section 21. Construction.—This act shall be construed as remedial and shall be liberally construed to promote the purpose for which it is intended.

Section 22. Effect.—In the event that any part of this act should be held void for any reason, such holding shall not affect any other part thereof.

Section 23. Exclusive charter.—This act constitutes the exclusive charter of the Spring Hill Fire Rescue and Emergency Medical Services District.

Section 24. Referendum.—The provisions of section 6 that authorize the levy of ad valorem taxation shall take effect only upon the approval by a vote of the electors of the district as may be required by the State Constitution. The Board of County Commissioners of Hernando County shall call and the Supervisor of Elections of Hernando County shall conduct a referendum at the next election of the district or at a special election called by the board for that purpose at which referendum the qualified electors in the district shall approve or reject the authority of the district to levy ad valorem taxes provided in this act. Any subsequent increase in said tax levy may only be made with the approval of the electors of the district at a special election called by the board and held for that purpose.

The ballot language of the title and question shall be as follows:

SHALL THE SPRING HILL INDEPENDENT FIRE DISTRICT BE AUTHORIZED TO LEVY PROPERTY TAXES UP TO 2.5 MILLS ON JURISDICTION LANDS TO PROVIDE FIRE AND RESCUE SERVICES?

...Yes

....No

Section 25. This act shall take effect upon becoming a law, except that the provisions of section 6 that authorize the levy of ad valorem taxation shall take effect only upon express approval by a majority vote of those

qualified electors of the Spring Hill Fire Rescue and Emergency Medical Services District, as required by Section 9 of Article VII of the State Constitution, voting in the referendum held pursuant to section 24. Such election shall be held in accordance with the provisions of general law relating to elections.

Approved by the Governor June 11, 2009.

Filed in Office Secretary of State June 11, 2009.