

CHAPTER 2014-245

House Bill No. 1297

An act relating to the Lealman Special Fire Control District, Pinellas County; amending chapter 2000-426, Laws of Florida, as amended; providing for future annexation of certain unincorporated territory; providing an effective date.

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

Section 1. Section 11 of section 1 of chapter 2000-426, Laws of Florida, as amended by chapter 2012-251, Laws of Florida, is amended to read:

Section 11. Annexation of territories by municipalities.—

(1) 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.

(2) Notwithstanding section 171.093, Florida Statutes, if a municipality annexes any unincorporated territory situated within the defined boundaries of the District from the effective date of this Act ~~until July 1, 2016~~, the District shall continue as the primary provider of fire, rescue, and emergency medical services for the annexed territory. Any municipality that annexes such territory may levy any applicable taxes, assessments, or fees on the annexed territory but must, by May 1 of each subsequent year after such annexation, pay the District for its services in an amount equal to the amount of taxes, assessments, or fees which would have been collected by the District from the annexed territory during that year had the territory not been annexed, using the millage rate in effect on the effective date of this act, or any lower rate that may be levied by the District. Such payments shall continue in perpetuity unless the District is relieved of all fire, rescue, or emergency medical service responsibility in the annexed territory, with the exception of an isolated response to a local or areawide disaster, such as a hazardous material incident, tornado, hurricane, or major fire. If litigation is required to enforce the provisions of this Act, the prevailing party shall be entitled to an award of attorney fees and costs. ~~This subsection shall not apply to annexations of unincorporated territory situated within the defined boundaries of the District after July 1, 2016.~~

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 12, 2014.

Filed in Office Secretary of State May 12, 2014.