

CHAPTER 2025-228

Committee Substitute for House Bill No. 4017

An act relating to the Bermont Drainage District, Charlotte County; creating the Bermont Drainage District in Charlotte County as a public corporation; providing that all subsequent proceedings concerning the district are ratified, confirmed, and approved; creating the district's charter; providing the district's status and boundaries; providing minimum charter requirements; providing applicability of specified laws to the district; providing severability; providing retroactive application; providing an effective date.

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

Section 1. Creation of the district; boundaries ratified and approved.—The final decree creating and incorporating the Bermont Drainage District, Charlotte County, entered by the Circuit Court of the Twelfth Judicial Circuit in and for Charlotte County, Florida, on March 12, 1965, creating and incorporating the Bermont Drainage District as a public corporation of this state, and all subsequent proceedings taken in said circuit court concerning said district are ratified, confirmed, and approved.

Section 2. The charter for the Bermont Drainage District is created to read:

Section 1. Status and boundaries of Bermont Drainage District.—The Bermont Drainage District is hereby declared to be an independent water control district and a public corporation of the state pursuant to chapters 189 and 298, Florida Statutes, and the lands lying within the area described as follows in Charlotte County shall hereby constitute the Bermont Drainage District:

Township 40 South, Range 26 East.

The Southwest ¼ of the Southwest ¼ of Section 23; the South ½ of the Southeast ¼ of the Southwest ¼ of Section 23.

The South ½ of the Southeast ¼ of Section 24.

All of Section 25.

All of Section 26.

All of Section 25, less the R/W for road in said section.

All of Section 36, less the R/W for road in said section.

All Government Lots in said sections to be included.

Containing 2,900.24 acres.

Section 2. Minimum charter requirements.—In accordance with s. 189.031(3), Florida Statutes, the following are the minimum requirements for the charter of the Bermont Drainage District:

(1) The district is organized and exists for all purposes set forth in this act and chapter 298, Florida Statutes.

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

(3) In accordance with chapter 189, Florida Statutes, this act, and ss. 298.11 and 298.12, Florida Statutes, the governing board of the district shall be designated the "Board of Supervisors of the Bermont Drainage District" and shall be composed of three persons, who shall be qualified to hold such office if they are landowners within the district, residents of the state, and citizens of the United States, elected on a 1-acre, one-vote basis by the landowners in the district; however, landowners owning less than 1 acre in the aggregate shall be entitled to one vote. Landowners with more than 1 acre shall be entitled to one additional vote for any fraction of an acre greater than ½ acre owned when a landowner's acreage has been aggregated for purposes of voting. The membership and organization of the governing board shall be as set forth in this charter and chapter 298, Florida Statutes, provided this charter controls with respect to any inconsistency.

(4) The compensation of the governing board members shall be governed by this act and chapter 298, Florida Statutes.

(5) The administrative duties of the governing board shall be as set forth in this act and chapters 189 and 298, Florida Statutes.

(6) Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for district officers and employees shall be as set forth in chapters 112, 189, 190, 286, and 298, Florida Statutes, and all other applicable general laws of the state.

(7) The procedures and requirements governing the issuance of bonds, notes, and other evidence of indebtedness by the district shall be as set forth in chapters 189 and 298, Florida Statutes, and applicable general laws.

(8) The procedures for conducting district elections or referenda and for qualification of electors shall be pursuant to chapters 189 and 298, Florida Statutes; however, a quorum for purposes of holding the annual meeting or any special meetings shall consist of those landowners present in person or represented by proxy at said meeting.

(9) The district may be financed by any method established in this act, chapter 298, Florida Statutes, and other applicable general laws of the state.

(10) The district is authorized to assess and levy a maintenance tax that shall be equal and uniform in amount upon each acre of land assessed, and upon any tract or parcel less than 1 acre in size.

(11) The methods for collecting non-ad valorem assessments, fees, or service charges shall be as set forth in chapters 197 and 298, Florida Statutes, and other applicable general laws of the state.

(12) The district's planning requirements shall be as set forth in chapters 189 and 298, Florida Statutes.

(13) The district's geographic boundary shall be as set forth in this act.

Section 3. Provisions of chapter 298, Florida Statutes, made applicable. The Bermont Drainage District hereby created shall be an independent water control district and a public corporation of this state. The provisions of state law applicable to water control districts or subdistricts which are embodied in chapter 298, Florida Statutes, so far as not inconsistent with this act, are hereby declared to be applicable to the Bermont Drainage District. The Bermont Drainage District shall have all of the powers and authorities conferred in this act and chapter 298, Florida Statutes.

Section 4. Severability.—If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 3. This act is remedial in nature and retroactive to March 12, 2025.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 24, 2025.

Filed in Office Secretary of State June 24, 2025.