

CHAPTER 2026-164

Committee Substitute for Committee Substitute for Senate Bill No. 1180

An act relating to community development districts; amending s. 125.572, F.S.; providing that specified provisions regarding synthetic turf do not apply to community development districts enforcing deed restrictions; amending s. 190.003, F.S.; revising the definition of the term “compact, urban, mixed-use district”; creating s. 190.0071, F.S.; defining terms; authorizing the removal of certain members of the board of supervisors of a community development district by recall; specifying requirements for the recall procedure; specifying the grounds for recall of elected members; providing for the designation of a recall committee and committee chair; specifying requirements for a recall petition; providing that the recall committee and the member sought to be recalled are subject to specified campaign financing requirements; specifying requirements for certain petitions and signatures; specifying requirements for filing signed petitions; prohibiting the petition from being amended after it is filed; providing an exception; requiring the clerk to make certain notifications within a specified timeframe; specifying requirements for the verification of signatures on a certain petition; requiring the committee to pay in advance to the supervisor of elections the actual cost of such verification; providing requirements for supervisors of elections when verifying signatures; requiring the clerk to take specified actions if the supervisor makes certain determinations regarding the number of signatures; providing that a recall petition deemed insufficient may not be used in another proceeding; authorizing an elector to request that his or her name be removed from certain petitions in a specified manner; requiring the clerk to take certain actions in response to such request for removal; specifying requirements for a Record of Recall Proceedings; specifying requirements for a recall referendum; requiring that ballots at such referendum meet certain specifications; requiring that a recall referendum be canceled in certain circumstances; specifying that certain resignations are irrevocable; requiring that the district promptly provide a certain copy to the clerk and the supervisor within a specified timeframe; providing that a board member subject to recall immediately ceases to hold office if a majority of qualified electors approves the recall; requiring that vacancies created by recall be filled in a specified manner; providing that recall proceedings are terminated if a majority of qualified electors does not approve the recall; prohibiting certain persons from being eligible for appointment to the board of supervisors for a specified timeframe; requiring the clerk to preserve certain papers for a specified timeframe; prohibiting certain actions related to the specified petitions; providing penalties; amending s. 190.006, F.S.; providing that certain board members of community development districts are subject to specified election recall provisions; providing an effective date.

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

Section 1. Subsection (3) of section 125.572, Florida Statutes, is amended to read:

125.572 Regulation of synthetic turf.—

(3)(a) Upon the Department of Environmental Protection adopting rules pursuant to subsection (4), a local government may not:

1.(a) Adopt or enforce any ordinance, resolution, order, rule, or policy that prohibits, or is enforced to prohibit, a property owner from installing synthetic turf that complies with Department of Environmental Protection standards adopted pursuant to this section which apply to single-family residential property.

2.(b) Adopt or enforce any ordinance, resolution, order, rule, or policy that regulates synthetic turf which is inconsistent with the Department of Environmental Protection standards adopted pursuant to this section which apply to single-family residential property.

(b) This subsection does not apply to the adoption or enforcement of any resolution, order, rule, or policy by a community development district to enforce deed restrictions.

Section 2. Subsection (7) of section 190.003, Florida Statutes, is amended to read:

190.003 Definitions.—As used in this chapter, the term:

(7) “Compact, urban, mixed-use district” means a district consisting of a maximum of 75 acres which is located within a municipality, and within either a qualified opportunity zone designated by the United States Department of the Treasury pursuant to 26 U.S.C. s. 1400Z-1 or a community redevelopment area created pursuant to s. 163.356, which district that consists of a maximum of 75 acres, and has development entitlements of:

(a) At least 400,000 square feet of retail development and 500 residential units; or

(b) At least 250,000 square feet of commercial development and 500 residential rental units that are affordable for very-low-income, low-income, or moderate-income persons, as defined in s. 420.0004, s. 420.602, or s. 420.9071.

Section 3. Section 190.0071, Florida Statutes, is created to read:

190.0071 Community development district recall.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Clerk,” as the context requires, means:

1. If the community development district was established by ordinance of a local general-purpose government pursuant to s. 190.005(2), the clerk of such local general-purpose government.

2. If the community development district was established by rule of the Florida Land and Water Adjudicatory Commission pursuant to s. 190.005(1), the clerk of the circuit court of the county that contains a majority of the qualified electors of the district.

(b) “Subdistrict” means the area or region previously contained in a community development district that has been merged with one or more other community development districts to form a surviving merged district pursuant to s. 190.046.

(2) APPLICATION.—Any member of the board of supervisors of a community development district who is elected to the board by the qualified electors of the community development district may be removed from office by the qualified electors of the district. To be subject to recall, the member must have served at least one-fourth of his or her term of office at the time a petition is filed as provided in subsection (4). If the member represents a subdistrict and is elected only by electors residing in that subdistrict, only electors residing in that subdistrict are eligible to sign the petition to recall that member and are entitled to vote in the recall election. If the member is elected at large by the electors of the district, all electors of the district are eligible to sign the petition to recall that member and are entitled to vote in the recall election. Members may be removed from office pursuant to the procedures provided in this section.

(3) GROUNDS FOR RECALL.—The grounds for removal of members of the board of supervisors of a district elected by qualified electors are, for the purposes of this act, limited to the following reasons and must be contained in the recall petition:

(a) Malfeasance;

(b) Misfeasance;

(c) Neglect of duty;

(d) Drunkenness;

(e) Incompetence;

(f) Permanent inability to perform official duties; or

(g) Conviction of a felony involving moral turpitude.

(4) RECALL PETITION.—

(a) *Petition content.*—A recall petition must contain the name of the board member sought to be recalled and a statement of grounds for recall, which are limited solely to those specified in subsection (3). If more than one member of the board of supervisors is sought to be recalled, regardless of whether such member is elected by the electors of a district or by the electors of a subdistrict, a separate recall petition must be prepared for each board member sought to be recalled.

(b) *Requisite signatures.*—The petition must be signed by at least 10 percent of the total number of registered electors of the district or of a subdistrict.

(c) *Recall committee.*—The qualified electors of the district making charges contained in the statement of grounds for recall, as well as those signing the recall petition, must be designated as the recall committee. A specific person must be designated in the petition as chair of the committee, and such person shall act on behalf of the committee. The recall committee and the board member being recalled are subject to chapter 106.

(d) *Signature process.*—Only electors of the district or subdistrict, as applicable, are eligible to sign the recall petition. Each petition must contain appropriate lines for each elector's original signature, which signature must be made in ink or indelible pencil; printed name; street address; city; county; voter registration number or date of birth; Florida driver license number, Florida identification card number issued pursuant to s. 322.051, or the last four digits of the elector's social security number; and the date signed.

(e) *Filing of signed petitions.*—The recall petition and its accompanying signature pages must be filed by the chair of the recall committee no later than 35 days after the date on which the first signature is obtained on the recall petition. The petition may not be amended after it is filed with the clerk, except as provided in subparagraph (h)3.

(f) *Notification.*—The clerk shall provide written notice, by certified mail, to both the district's registered agent and the board member subject to recall that a recall petition has been filed, and provide a copy of such petition, within 7 days of receipt of the recall petition.

(g) *Verification of signatures.*—

1. No more than 60 days after the date on which the recall petition is filed, the clerk shall submit the recall petition to the supervisor of elections, who shall promptly verify the signatures in accordance with s. 99.097 and determine whether the requisite number of valid signatures has been obtained. The recall committee must pay in advance to the supervisor of elections the actual cost of such signature verification. If the community development district lies in more than one county, the clerk must submit the recall petition to the supervisor of elections in each county in which the district is located. In such event, the supervisor of elections of each county shall determine the number of verified and valid signatures that have been

submitted for their respective jurisdictions, and upon receipt of such determinations, the supervisor of elections of the county in which the clerk is located shall be responsible for providing the reporting required by paragraph (h).

2. The petition and its accompanying documents provided to the clerk must, upon request, be made available in alternative formats by the recall committee as requested by the clerk.

(h) Reporting.—

1. If the supervisor of elections determines that the recall petition does not contain the requisite number of verified and valid signatures, the recall proceedings are terminated and the clerk must provide written notice of such insufficiency determination and termination of recall proceedings to the district's registered agent, the board member subject to recall, and the recall committee without taking further action. Any recall petition deemed insufficient may not be used in any other proceeding.

2. If the supervisor of elections determines that the petition has the requisite number of verified and valid signatures, the clerk must provide written notice, by certified mail, to the district's registered agent and the recall committee of the recall petition sufficiency determination, and shall serve upon the board member sought to be recalled, by certified mail, notice of such certification and a request that the board member submit a rebuttal statement to the clerk within 30 days after receipt of the request.

3. A qualified elector may have his or her name removed from the recall petition by submitting a signed request in writing to the clerk stating such intention. Such request must be made no later than 30 days after the date the elector signed the petition. Within 7 days after a qualified elector notifying the clerk to remove his or her name from the recall petition, the clerk shall recalculate the current percentage of verified and valid signatures. If the clerk determines that the number of current verified and valid signatures falls below the threshold required by paragraph (b), the clerk must send written notice of such insufficiency determination and termination of recall proceedings to the district's registered agent, the board member subject to recall, and the recall committee without taking further action.

(5) RECORD OF RECALL PROCEEDINGS.—If the supervisor of elections determines that a recall petition has the requisite number of verified and valid signatures, and within 30 days after the date of receipt of the rebuttal statement or after the last date a rebuttal statement could have been filed, the clerk must prepare a document entitled "Record of Recall Proceedings." The Record of Recall Proceedings must include the recall petition, the determination of the supervisor of elections regarding the amount of verified and valid signatures, and the rebuttal statement, if provided, or, if no rebuttal statement was received, an indication that none was received. The Record of Recall Proceedings must be sent by certified

mail to the district's registered agent, the board member subject to recall, and the chair of the recall committee. The district shall post the Record of Recall Proceedings on its website within 14 days after receipt.

(6) RECALL REFERENDUM PETITION.—

(a) *Petition content.*—Upon the receipt of the Record of Recall Proceedings, the recall committee may circulate a petition on whether a referendum to recall the board member should be held. A recall referendum petition must contain the name of the person sought to be recalled and a copy of the Record of Recall Proceedings.

(b) *Requisite signatures.*—The signed recall referendum must be signed by at least 15 percent of the electors.

(c) *Signature process.*—All qualified electors of the district are eligible to sign the recall referendum petition. Each recall referendum petition must contain appropriate lines for each qualified elector's original signature, which signature shall be made in ink or indelible pencil; printed name; street address; city; county; voter registration number or date of birth; Florida driver license number, Florida identification card number issued pursuant to s. 322.051, or the last four digits of the qualified elector's social security number; and the date signed.

(d) *Filing of signed petitions.*—The signed recall referendum petition and its accompanying signature pages must be filed with the clerk no later than 60 days after the chair of the recall committee's receipt of the Record of Recall Proceedings.

(e) *Notification.*—The clerk shall provide written notice, by certified mail, to both the district's registered agent and the board member subject to recall that a recall referendum petition has been filed, and provide a copy of such petition, within 7 days after receipt of the recall referendum petition.

(f) *Verification of signatures.*—

1. No more than 30 days after the date on which the recall referendum petition is filed, the clerk shall submit the recall referendum petition to the supervisor of elections, who shall promptly verify the signatures in accordance with s. 99.097 and determine whether the requisite number of valid signatures has been obtained. The recall committee must pay in advance to the supervisor of elections the actual cost of such signature verification. If the community development district lies in more than one county, the clerk must submit the recall referendum petition to the supervisor of elections in each county in which the district is located. In such event, the supervisor of elections of each county shall determine the number of verified and valid signatures that have been submitted for his or her respective jurisdiction, and upon receipt of such determinations, the supervisor of elections of the county in which the clerk is located shall be responsible for providing the reporting required by paragraph (g).

2. The recall referendum petition and its accompanying documents provided to the clerk must, upon request, be made available in alternative formats by the recall committee as requested by the clerk.

(g) Reporting.—

1. If the supervisor of elections determines that the recall referendum petition does not contain the requisite number of verified and valid signatures, the recall vote proceedings are terminated and the clerk must provide written notice of such insufficiency determination and termination of recall vote proceedings to the registered agent of the district, the board member subject to recall, and the recall committee without taking further action. Any recall referendum petition deemed insufficient may not be used in any other proceeding.

2. If the supervisor of elections determines that the recall referendum petition has the requisite number of verified and valid signatures, the clerk must provide written notice, by certified mail, to the district's registered agent, the board member sought to be recalled, and the recall committee of the recall referendum petition sufficiency determination and the date, time, and location of the recall referendum.

3. A qualified elector may have his or her name removed from the recall referendum petition by submitting a signed written request to the clerk stating such intention. Such request must be made no later than 30 days after the date the elector signed the petition. Within 7 days after a qualified elector notifying the clerk to remove his or her name from the recall referendum petition, the clerk shall recalculate the current percentage of verified and valid signatures. If the number of current verified and valid signatures falls below the threshold required by paragraph (b), the clerk must send written notice of such insufficiency determination and termination of recall proceedings to the district's registered agent, the board member subject to recall, and the recall committee without taking further action.

(7) RECALL REFERENDUM.—

(a) Upon its confirmation that the recall referendum petition has the requisite number of verified and valid signatures, the supervisor of elections shall fix a day for holding the recall referendum. The supervisor of elections shall administer such referendum in accordance with s. 190.006(3)(d). The recall committee must pay in advance to the supervisor of elections the actual cost of holding the recall referendum.

(b) Any recall election must be held not less than 30 days or more than 90 days after the certification, and at the same time as any other general or special election held within such period; but if no such election is to be held within that period, the referendum must be conducted at a special election to be held within the period aforesaid.

(c) Notice of the recall referendum shall be published by the district in a newspaper of general circulation in the area of the district at least 14 days in advance of such referendum. Notice of the recall referendum shall also be mailed to each qualified elector at his or her last known address at least 14 days in advance of such referendum. The board shall use and rely upon the official records maintained by the supervisor of elections and property appraiser or tax collector in each county in determining such addresses. The notices shall contain the date, time, and location of the referendum and shall include a statement that the Record of Recall Proceedings is available for review on the district's website. The recall committee must pay in advance to the district the actual cost of the recall referendum notices.

(d) The ballots at the recall referendum must conform to the following: With respect to each person whose removal is sought, the question must be submitted: "Shall ...(name of person)... be removed as a member of the board of supervisors of ...(name of community development district)... by recall?" Immediately following each question there must be printed on the ballots the two propositions in the following order:

"...(name of person)... should be removed from office."

"...(name of person)... should not be removed from office."

(e) A recall referendum authorized by this section must be canceled by the supervisor of elections if the board member subject to the recall submits his or her resignation, which is irrevocable, within 20 days after notice is sent via certified mail pursuant to paragraph (6)(e). The district shall promptly provide the clerk and the supervisor of elections a copy of any such resignation, but no more than 7 days after receipt of such resignation.

(8) FILLING OF VACANCIES CREATED BY RECALL.—

(a) If a majority of the qualified electors of the district or subdistrict voting in the recall referendum approves the recall of the board member in the recall referendum, as determined by the supervisor of elections, the board member subject to the recall immediately ceases to hold office. The vacancy created by the recall must be filled by the board of supervisors pursuant to s. 190.006(4), except that, if three or more board members are recalled at the same referendum, the Governor must fill the vacancy pursuant to s. 114.04.

(b) If a majority of the qualified electors of the district or subdistrict voting in the recall referendum do not approve the recall, the recall proceedings are terminated.

(9) RESTRICTIONS ON BOARD APPOINTMENT.—A person who is removed by a recall pursuant to this section, or who resigns after a petition has been filed against him or her, is not eligible to be appointed to the district's board of supervisors within a period of 2 years after the date of such recall or resignation.

(10) RETENTION OF PETITION.—The clerk shall preserve all papers comprising or connected with a petition for recall for a period of 2 years after such papers are filed.

(11) OFFENSES RELATING TO RECALL PETITIONS AND RECALL REFERENDUM PETITIONS.—A person may not impersonate another, purposely write his or her name or residence falsely in the signing of any recall petition or recall referendum petition or forge any name thereto, or sign any paper with knowledge that he or she is not a qualified elector of the district. A person may not employ or pay another to accept employment or payment for circulating or witnessing a recall petition or recall referendum petition. A person who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 4. Paragraph (e) is added to subsection (3) of section 190.006, Florida Statutes, to read:

190.006 Board of supervisors; members and meetings.—

(3)

(e) Any board member elected to the board of supervisors by the qualified electors of the district pursuant to this subsection is subject to the recall procedures provided for in s. 190.0071.

Section 5. This act shall take effect July 1, 2026.

Approved by the Governor June 25, 2026.

Filed in Office Secretary of State June 25, 2026.