

## CHAPTER 2023-336

### House Bill No. 1169

An act relating to Hamilton County; creating the Hamilton County Development Authority; providing definitions; providing for appointment and terms of the members of the board of the authority; providing powers; providing for annual budget and annual financial reporting; limiting authority to incur debt; providing purpose and construction; providing for severability; providing an effective date.

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

Section 1. Creation of district; purpose.—For the purpose of facilitating the planning and implementation of economic development of Hamilton County, the Hamilton County Development Authority is created as an independent special district under chapter 189, Florida Statutes, a body corporate and politic and which shall be deemed to be a public corporation. The boundaries of the authority shall be coextensive with the boundaries of Hamilton County.

Section 2. Definitions.—When used in this act the following words and terms, unless a different meaning appears clearly from the context, shall have the following meanings:

(1) “Authority” shall mean the Hamilton County Development Authority created by this act.

(2) “Project” shall mean and include the acquisition of lands, properties and improvements for development, expansion and promotion of industry, commerce, agriculture, natural resources and vocational training, and the construction of buildings and plants for the purpose of selling, leasing or renting such structures to private persons, firms or corporations.

(3) “Cost of project” shall embrace the cost of construction, the cost of all lands, properties, easements, rights and franchises acquired, the cost of machinery and equipment, financing charges, interest prior to and during construction, cost of engineering, architectural and legal expense, and plans and specifications and other expenses necessary or incident to determining the feasibility or practicability of the project, administrative expenses, and such other expenses as may be necessary or incident to the financing herein authorized for the construction of any project and placing the same in operation.

Section 3. Board of Supervisors.—

(1) The board of the authority shall consist of seven supervisors appointed to staggered terms. The supervisors for seats 1, 2, 3, 4, and 5 shall be appointed by the Governor, each from the corresponding numbered county commissioner districts of the county as they are presently or

hereafter constituted. The supervisors for seats 6 and 7 shall be appointed by the Hamilton County Board of County Commissioners from the county at large.

(2) The appointments to seats 1, 3, 5, and 7 shall be for initial terms of four years, and the appointments to seats 2, 4, and 6 shall be for initial terms of two years, with all subsequent appointments for all seats for terms of four years. Each member of the board of the authority shall be a qualified elector of Hamilton County.

(3) The board of supervisors shall elect from its membership at its organizational meeting, and annually thereafter, a chair, and a vice chair who shall act as secretary for the board.

(4) Any five (5) supervisors shall constitute a quorum for the transaction of the ordinary business of the authority. However, any action with respect to any project of the authority must be approved by a simple majority of votes. No business shall be transacted except at regularly called meetings and duly recorded in the minutes thereof.

(5) Supervisors shall serve without compensation but shall be reimbursed for travel expenses incurred in the performance of their duties as members of the authority as provided by chapter 112, Florida Statutes.

Section 4. General powers and duties.—The Authority shall have the following powers and duties:

(1) To sue and be sued in the name of the authority; to adopt a seal and authorize the use of a facsimile thereof; and to acquire, by purchase, gift, or otherwise, and to dispose of, real and personal property or any interest in such property.

(2) If the authority seeks to construct any project, or use any project already constructed, on lands the title to which shall then be in the county of Hamilton or any one of its incorporated cities, the governing authorities of such county and cities are authorized to convey title to such lands, including any improvements thereon, to the authority.

(3) To select and appoint agents and employees, including engineers, architects, builders, and attorneys, and to fix their compensation.

(4) To make contracts and to execute all instruments necessary or convenient to the exercise of its powers, including contracts for construction, lease, rental and sale of projects or contracts with respect to the use of projects constructed or acquired by the authority.

(5) To construct, erect, acquire, own, repair, remodel, maintain, extend, improve, equip, operate and manage projects, self-liquidating or otherwise, located on property owned or leased by the authority, and to pay the cost of any such project from the proceeds or revenue-anticipation certificates of the authority or from any grant from the state, the county of Hamilton, or any of

the incorporated municipalities in the county, or from any contribution or loan by individuals, partnerships, limited liability corporations, or corporations for profit or not-for-profit, all of which the authority is hereby authorized to receive and accept and use.

(6) To borrow money for any of its corporate purposes and to execute notes, mortgages, deeds to secure debt, trust deeds, and such other instruments as may be necessary or convenient to evidence and secure such borrowing.

(7) To exercise any power granted by the laws of Florida to public or private corporations, performing similar functions, which is not in conflict with the constitution and laws of Florida.

(8) To issue revenue-anticipation certificates for the purpose of paying all or any part of the cost of any project of the authority. Such revenue-anticipation certificates shall be issued and validated under and in accordance with the applicable provisions of the laws of Florida.

(9) The authority shall provide financial reports in such form and such manner as required by chapters 189 and 218, Florida Statutes.

(10) The board of supervisors for the authority shall adopt an annual budget as required by chapter 189, Florida Statutes.

Section 5. The authority shall not in any manner create a debt as against the state, the county, or any of the incorporated municipalities in Hamilton County.

Section 6. This act shall be liberally construed to effect the purposes thereof.

Section 7. If any section, subsection, sentence, clause, or provision of this act is held invalid, the remainder of this act shall not be affected by such finding of invalidity.

Section 8. This act may be amended only by special act of the Legislature.

Section 9. This act shall take effect June 1, 2023.

Approved by the Governor May 31, 2023.

Filed in Office Secretary of State May 31, 2023.