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# Government Accountability Committee

November 14, 2017  
1:00 PM--3:00 PM  
Morris Hall (17 HOB)

## Meeting Packet

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Government Accountability Committee

**Start Date and Time:** Tuesday, November 14, 2017 01:00 pm

**End Date and Time:** Tuesday, November 14, 2017 03:00 pm

**Location:** Morris Hall (17 HOB)

**Duration:** 2.00 hrs


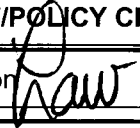
**Consideration of the following bill(s):**

HB 17 Community Redevelopment Agencies by Raburn

**NOTICE FINALIZED on 11/07/2017 4:10PM by Larson.Lisa**

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 17 Community Redevelopment Agencies  
**SPONSOR(S):** Raburn  
**TIED BILLS:** IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Government Accountability Committee		Darden 	Williamson 

### SUMMARY ANALYSIS

The Community Redevelopment Act authorizes counties and municipalities to create community redevelopment agencies (CRAs) as a means of redeveloping slums and blighted areas. CRAs are controlled by a governing board that either is composed of members of the local governing body creating the CRA or commissioners appointed by the local governing body. CRAs operate under a community redevelopment plan that is approved by the local governing body. CRAs are primarily funded by tax increment financing, calculated based on the increase of property values inside the boundaries of the CRA.

The bill increases accountability and transparency for CRAs by:

- Requiring the governing board members of a CRA to undergo four hours of ethics training annually;
- Requiring each CRA to use the same procurement and purchasing processes as the creating county or municipality;
- Expanding the annual reporting requirements for CRAs to include audit information and performance data and requiring the information and data to be posted on the agency website;
- Providing that moneys in the redevelopment trust fund may only be expended pursuant to an annual budget adopted by the board of commissioners of the CRA and only for those purposes specified in current law beginning October 1, 2018;
- Authorizing the local governing body creating the CRA to adjust the level of tax increment financing available to the CRA;
- Requiring a CRA created by a municipality to provide its budget and any amendments to the board of county commissioners for the county in which the CRA is located by a time certain; and
- Requiring counties and municipalities to include CRA data in their annual financial report.

The bill provides that the creation of new CRAs on or after October 1, 2018, may only occur by special act of the Legislature. It provides for the eventual phase-out of existing CRAs at the earlier of the expiration date stated in the agency's charter or on September 30, 2038, with the exception of those CRAs with any outstanding bond obligations. However, phase-out may be prevented if a supermajority of board members serving on the board of the entity that created the CRA vote to retain the agency. The bill provides a process for the Department of Economic Opportunity to declare a CRA inactive if it has no revenue, expenditures, and debt for four consecutive fiscal years.

The bill may have a fiscal impact on the state and local governments.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

##### Community Redevelopment Act

The Community Redevelopment Act of 1969 (Act)<sup>1</sup> authorizes a county or municipality to create a community redevelopment agency (CRA) as a means of redeveloping slums and blighted areas. The Act defines a “blighted area” as an area in which there are a substantial number of deteriorated structures causing economic distress or endangerment to life or property and two or more of the following factors are present:

- Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the five years prior to the finding of such conditions;
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- Unsanitary or unsafe conditions;
- Deterioration of site or other improvements;
- Inadequate and outdated building density patterns;
- Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;
- Tax or special assessment delinquency exceeding the fair value of the land;
- Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
- Incidence of crime in the area higher than in the remainder of the county or municipality;
- Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
- A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;
- Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area;
- Governmentally owned property with adverse environmental conditions caused by a public or private entity; or
- A substantial number or percentage of properties damaged by sinkhole activity that have not been adequately repaired or stabilized.<sup>2</sup>

An area also may be classified as blighted if one of the above factors is present and all taxing authorities with jurisdiction over the area have agreed that the area is blighted by interlocal agreement or by passage of a resolution by the governing bodies.<sup>3</sup>

The Act defines a “slum area” as “an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements” in poor states of repair with one of the following factors present:

- Inadequate provision for ventilation, light, air, sanitation, or open spaces;
- High density of population, compared to the population density of adjacent areas within the county or municipality, and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or

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<sup>1</sup> Chapter 163, part III, F.S.

<sup>2</sup> Section 163.340(8), F.S.

<sup>3</sup> *Id.*

- The existence of conditions that endanger life or property by fire or other causes.<sup>4</sup>

### Creation of Community Redevelopment Agencies

Either a county or a municipal government may create a CRA. Before creating a CRA, a county or municipal government must adopt a resolution with a “finding of necessity.”<sup>5</sup> This resolution must make legislative findings “supported by data and analysis” that the area to be included in the CRA’s jurisdiction is either blighted or a slum and that redevelopment of the area is necessary to promote “the public health, safety, morals, or welfare” of residents.<sup>6</sup>

A county or municipality may create a CRA upon the adoption of a finding of necessity and a finding that a CRA is necessary for carrying out the community redevelopment goals embodied by the Act.<sup>7</sup> A CRA created by a county may only operate within the boundaries of a municipality when the municipality has concurred by resolution with the community redevelopment plan adopted by the county. A CRA created by a municipality may not include more than 80 percent of the municipality if it was created after July 1, 2006.<sup>8</sup>

The ability to create, expand, or modify a CRA is also determined by the county’s status as a charter or non-charter county, as summarized below:

<b>County Status</b>	<b>Authority</b>
Charter County - CRA created after adoption of charter <sup>9</sup>	County possesses authority to create CRAs within the county, but may delegate authority to a municipality via interlocal agreement.
Charter County - CRA created before adoption of charter <sup>10</sup>	County does not have authority over CRA operations, including modification of redevelopment plan or expansion of CRA boundaries.
Non-Charter County <sup>11</sup>	County does not have authority over CRA operations, including modification of redevelopment plan or expansion of CRA boundaries.

As of November 1, 2017, there were 224 CRAs in Florida, which is a 30 percent increase over the past decade.<sup>12</sup>

### Community Redevelopment Agency Boards

The Act allows the local governing body creating a CRA to choose between two structures when establishing the agency’s governing board.

One option is to appoint a board of commissioners consisting of five to nine members serving four-year terms.<sup>13</sup> The local governing body may appoint any person as a commissioner who lives in or is engaged in business in the agency’s area of operation.<sup>14</sup> The local governing body making the

<sup>4</sup> Section 163.340(7), F.S.

<sup>5</sup> See s. 163.355, F.S. (prohibiting counties and municipalities from exercising powers under the Act without a finding of necessity).

<sup>6</sup> *Id.*

<sup>7</sup> Section 163.356(1), F.S.

<sup>8</sup> Section 163.340(10), F.S.

<sup>9</sup> Section 163.410, F.S.

<sup>10</sup> *Id.*

<sup>11</sup> Section 163.415, F.S.

<sup>12</sup> Compare Dept. of Economic Opportunity, Special District Accountability Program, *Official List of Special Districts Online*, <http://specialdistrictreports.floridajobs.org/webreports/mainindex.aspx> (last accessed Nov. 1, 2017) (224 active CRAs as of Nov. 1, 2017) with Bill Analysis for HB 1583 (2006) (stating there were 171 CRAs in operation as of Mar. 26, 2006).

<sup>13</sup> Section 163.356(2), F.S.

<sup>14</sup> Section 163.356(3)(b), F.S. A person is “engaged in business” if he or she owns a business, performs services for compensation, or serves as an officer or director of a business that owns property or performs services in the agency’s area of operation.

appointment selects the chair and vice chair of the commission.<sup>15</sup> Commissioners are not entitled to compensation for their services, but may receive reimbursement for expenses incurred in the discharge of their official duties.<sup>16</sup> Commissioners and employees of an agency are subject to the code of ethics for public officers and employees under ch. 112, F.S.<sup>17</sup>

The other option is for the local governing body to appoint itself as the agency board of commissioners.<sup>18</sup> If the local governing body consists of five members, the local governing body may appoint two additional members to four-year terms.<sup>19</sup> The additional members either must meet the selection criteria for appointed board members under s. 163.356, F.S., or may be representatives of another taxing authority within the agency's area of operation, subject to an interlocal agreement between the local governing body creating the CRA and the other taxing authority.<sup>20</sup>

As of November 1, 2017, the local governing body creating the CRA serves as the CRA board for 156 of the 224 active CRAs.<sup>21</sup>

### Community Redevelopment Agency Operations

The CRA board of commissioners is responsible for exercising the powers of the agency.<sup>22</sup> A majority of the board's members are required for a quorum. A CRA may employ an executive director, technical experts, legal counsel, and other agents and employees necessary to fulfill its duties.<sup>23</sup>

A CRA exercising its powers under the Act must file an annual report with the governing body of the creating local government entity.<sup>24</sup> The report must contain a complete financial statement of the assets, liabilities, income, and operating expenses of the agency. The CRA must publish a notice in a newspaper of general circulation in the community that the report has been filed and is available for inspection during business hours in the office of the clerk of the city or county commission and the office of the agency.

As a type of dependent special district,<sup>25</sup> a CRA also must maintain certain information on an official website.<sup>26</sup> The website may be part of the creating governmental entity's website.<sup>27</sup> The information required to be posted includes the public purpose of the CRA,<sup>28</sup> the description of the CRA's boundaries and the services it provides,<sup>29</sup> a listing of all amounts collected for the fiscal year by the

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<sup>15</sup> Section 163.356(3)(c), F.S.

<sup>16</sup> Section 163.356(3)(a), F.S.

<sup>17</sup> Section 163.367(1), F.S., *but cf.* s. 112.3142, F.S. (requiring ethics training for specific constitutional officers and elected municipal officers).

<sup>18</sup> Section 163.357(1)(a), F.S.

<sup>19</sup> Section 163.357(1)(c), F.S.

<sup>20</sup> Section 163.357(1)(c)-(d), F.S.

<sup>21</sup> Dept. of Economic Opportunity, Special District Accountability Program, *Official List of Special Districts Online*, <http://specialdistrictreports.floridajobs.org/webreports/mainindex.aspx> (last accessed Nov. 1, 2017).

<sup>22</sup> Section 163.356(3)(b), F.S.

<sup>23</sup> Section 163.356(3)(c), F.S.

<sup>24</sup> *Id.*

<sup>25</sup> See s. 189.012(2), F.S. (defining "dependent special district" as any special district that meets at least one of the following criteria: the membership of its governing body is identical to that of the governing body of a single county or a single municipality; all members of its governing body are appointed by the governing body of a single county or a single municipality; members of the special district's governing body are subject to removal at will by the governing body of a single county or a single municipality during their unexpired terms; or the district has a budget that requires approval through an affirmative vote or can be vetoed by the governing body of a single county or a single municipality.)

<sup>26</sup> Section 189.069(1), F.S.

<sup>27</sup> Section 189.069(1)(b), F.S.

<sup>28</sup> Section 189.069(2)(a)2., F.S.

<sup>29</sup> Section 189.069(2)(a)7., F.S.

CRA and the sources of those revenues,<sup>30</sup> the CRA's budget and any amendments,<sup>31</sup> and the final, complete audit report for the CRA's most recently completed fiscal year as well as all required by law.<sup>32</sup>

### Community Redevelopment Plans

A community redevelopment plan must be in place before a CRA can engage in operations.<sup>33</sup> The county, the municipality, the CRA itself, or members of the public may submit the plan and then the CRA chooses which plan it will use as its community redevelopment plan.<sup>34</sup> Next, the CRA must submit the plan to the local planning agency for review before the plan can be considered.<sup>35</sup> The local planning agency must complete its review within 60 days.

The CRA must submit the community redevelopment plan to the governing body that created the CRA as well as each taxing authority that levies ad valorem taxes on taxable real property contained in the boundaries of the CRA.<sup>36</sup> The local governing body that created the CRA must hold a public hearing before the plan is approved.<sup>37</sup>

To approve the plan, the local governing body must find that:

- A feasible method exists to relocate families who will be displaced by redevelopment in safe and sanitary accommodations within their means and without undue hardship;
- The community redevelopment plan conforms to the general plan of the county or municipality as a whole;
- The community redevelopment plan gives due consideration to the utilization of community policing innovations and other factors encouraging neighborhood improvement, with special consideration for impacts on children;
- The community redevelopment plan encourages redevelopment by private enterprise to the maximum possible extent; and
- The community redevelopment plan will reduce or maintain evacuation time and ensure protection for property against exposure to natural disasters if the CRA is in a coastal tourist area.<sup>38</sup>

The community redevelopment plan must also:

- Conform to the comprehensive plan for the county or municipality;
- Indicate land acquisition, demolition, and removal of structures; redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the community redevelopment area; zoning and planning changes, if any; land uses; maximum densities; and building requirements; and
- Provide for the development of affordable housing in the area, or state the reasons for not addressing in the plan the development of affordable housing.<sup>39</sup>

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<sup>30</sup> Section 189.069(2)(a)8., F.S.

<sup>31</sup> Section 189.(2)(a)11., F.S.

<sup>32</sup> Section 189.069(2)(a)12., F.S. *See* the section of the analysis on "[Annual Financial Reports for Local Government Entities](#)."

<sup>33</sup> Section 163.360(1), F.S.

<sup>34</sup> Section 163.360(4), F.S.

<sup>35</sup> *Id.*

<sup>36</sup> Section 163.360(5), F.S.

<sup>37</sup> Section 163.360(6), F.S.

<sup>38</sup> Section 163.360(7), F.S.

<sup>39</sup> Section 163.360(2), F.S.

## Redevelopment Trust Fund

CRAs may not levy or collect taxes; however, the local governing body may establish a community redevelopment trust fund that is funded through tax increment financing (TIF). The amount of TIF available to the agency in a given year is equal to 95 percent of the difference between:

- The amount of ad valorem taxes levied in the current year by each taxing authority, excluding any debt service millage, on taxable real property within the boundaries of the community redevelopment area; and
- The amount of ad valorem taxes that would have been produced by levying the current year's millage rate for each taxing authority, excluding any debt service millage, on taxable real property within the boundaries of the community redevelopment area at the total assessed value of the taxable real property prior to the effective date of the ordinance providing for the redevelopment trust fund.<sup>40</sup>

A CRA created by Miami-Dade County on or after July 1, 1994, may set the amount of funding provided at less than 95 percent, with a floor of 50 percent.<sup>41</sup>

The TIF authority of a CRA may be limited where the CRA:

- Did not authorize a study to consider whether a finding of necessity resolution should be adopted by June 5, 2006, did not adopt a finding of necessity study by March 31, 2007, did not adopt a community redevelopment plan by June 7, 2007, and was not authorized to exercise community redevelopment powers pursuant to a delegation of authority under s. 163.410, F.S., by a charter county;<sup>42</sup> or
- Adopted a modified community redevelopment plan after October 1, 2006, which expands the boundaries of the community redevelopment area, if the CRA is in a charter county and was not created pursuant to a delegation of authority under s.163.410, F.S.<sup>43</sup>

If either of these conditions occurs, a CRA may have TIF proceeds from other taxing entities capped at the millage rate imposed by the municipality that created the CRA.<sup>44</sup> If either of these conditions occurs and the CRA is more than 25 years old, the CRA's TIF contributions from other taxing authorities may be capped by resolution of the other taxing authority at the sum of the amount of TIF available in the year before the resolution was approved and any increased increment subject to an area reinvestment agreement.<sup>45</sup>

Each taxing authority must transfer TIF funds to the redevelopment trust fund of the CRA by January 1 of each year. For CRAs created before July 1, 2002, each taxing authority must make an annual appropriation to the trust fund for a period of no more than 60 years from when the community redevelopment plan was adopted or no more than 30 years from when the plan was amended, whichever is lesser. For CRAs created on or after July 1, 2002, each taxing authority must make an annual appropriation to the trust fund for no more than 40 years from when the community redevelopment plan was adopted.<sup>46</sup> If there are any outstanding loans, advances, or indebtedness at the conclusion of these periods, the local governing body that created the CRA must continue transfers to the redevelopment trust fund until the debt has been retired.<sup>47</sup>

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<sup>40</sup> Section 163.387(1)(a), F.S.

<sup>41</sup> *Id.*

<sup>42</sup> Section 163.387(1)(b)1., F.S.

<sup>43</sup> Section 163.387(1)(b)2., F.S.

<sup>44</sup> Section 163.387(1)(b)1.a., F.S.

<sup>45</sup> Section 163.387(1)(b)1.b., F.S. An "area reinvestment agreement" is an agreement between the CRA and a private party that requires the increment computed for a specific area to be reinvested in services or public or private projects, or both, including debt service, supporting one or more projects consistent with the community redevelopment plan, which is identified in the agreement to be constructed within that area.

<sup>46</sup> Section 163.387(2)(a), F.S.

<sup>47</sup> Section 163.387(3)(a), F.S.



If a taxing authority does not transfer the TIF funds to the redevelopment trust fund, the taxing authority is required to pay a penalty of 5 percent of the TIF amount to the trust fund as well as 1 percent interest per month for the outstanding amount.<sup>48</sup> A CRA may choose to waive these penalties in whole or in part.

The following taxing authorities are exempt from contributing to the redevelopment trust fund:

- A school district;<sup>49</sup>
- A special district that levies ad valorem taxes on taxable real property in more than one county;
- A special district for which ad valorem taxation is the sole source of revenue;
- A library district, unless the library district is in a jurisdiction where the CRA had validated bonds as of April 30, 1984;
- A neighborhood improvement district;
- A metropolitan transportation authority;
- A water management district created under s. 373.069, F.S.; and
- A hospital district that is a special district if the CRA was created on or after July 1, 2016.<sup>50</sup>

Additionally, the local governing body creating the CRA may choose to exempt other special districts levying ad valorem taxes in the community redevelopment area.<sup>51</sup> The decision to grant the exemption must be based on statutory criteria, must be adopted at a public hearing, and the conditions of the exemption must be included in an interlocal agreement between the county or municipality and the special district.

Any revenue bonds issued by the CRA are payable from revenues pledged to and received by the CRA and deposited into the redevelopment trust fund.<sup>52</sup> The lien created by the revenue bonds does not attach to the bonds until the revenues are deposited in the redevelopment trust fund and do not grant bondholders any right to require taxation in order to retire the bond. Revenue bonds issued by a CRA are not a liability of the state or any political subdivision of the state and this status must be made clear on the face of the bond.<sup>53</sup>

A CRA may spend funds deposited in its redevelopment trust fund for “purposes, including, but not limited to”:

- Administrative and overhead expenses necessary or incidental to the implementation of a community redevelopment plan adopted by the agency;
- Expenses of redevelopment planning, surveys, and financial analysis, including the reimbursement of the governing body or the CRA for such expenses incurred before the redevelopment plan was approved and adopted;
- Acquisition of real property in the redevelopment area;
- Clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants within or outside the community redevelopment area as provided in s. 163.370, F.S.;
- Repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness;
- All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other form of indebtedness;
- Development of affordable housing within the community redevelopment area; and

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<sup>48</sup> Section 163.387(2)(b), F.S.

<sup>49</sup> See s. 163.340, F.S. (defining a “taxing authority” as “a public body that levies or is authorized to levy an ad valorem tax on real property located in a community redevelopment area” and defining a “public body” as excluding school districts.)

<sup>50</sup> Section 163.387(2)(c), F.S.

<sup>51</sup> Section 163.387(2)(d), F.S.

<sup>52</sup> Section 163.387(4), F.S.

<sup>53</sup> Section 163.387(5), F.S.

- Development of community policing innovations.<sup>54</sup>

If any funds remain in the redevelopment trust fund on the last day of the fiscal year, the funds must be:

- Returned to each taxing authority on a pro rata basis;
- Used to reduce the amount of any indebtedness to which increment revenues are pledged;
- Deposited into an escrow account for the purpose of later reducing any indebtedness to which increment revenues are pledged; or
- Appropriated to a specific redevelopment project pursuant to an approved community redevelopment plan and the project must be completed within three years from the date of such appropriation.<sup>55</sup>

Each CRA must provide for an annual audit of its redevelopment trust fund, conducted by an independent certified public accountant or firm.<sup>56</sup>

### Community Redevelopment Agency Oversight and Accountability

#### *Miami-Dade County Grand Jury Report*

A Miami-Dade County grand jury issued a report in 2016 after “learning of several examples of mismanagement of large amounts of public dollars” by CRAs.<sup>57</sup> The report found that some CRA boards were “spending large amounts of taxpayer dollars on what appeared to be pet projects of elected officials” and “there is a significant danger of CRA funds being used as a slush fund for elected officials.”<sup>58</sup> In the event funds were misused, the report found that the Act lacked any accountability and enforcement measures.

The report noted that while county and municipal governments may not pledge ad valorem tax proceeds to finance bonds without voter approval, the board of a CRA could pledge TIF funds to finance bonds without any public input.<sup>59</sup>

The grand jury found that redevelopment trust fund money was often used “without the exercise of any process of due diligence, without justification and without recourse.”<sup>60</sup> The report noted that the Act does not provide guidelines for the proper use of CRA funds, resulting in questionable expenditures.<sup>61</sup> For example, one CRA highlighted in the report spent \$300,000 of its \$400,000 budget on administrative expenses. The report also found examples of the CRA funds being used to fund fairs, carnivals, and other community entertainment events.<sup>62</sup> Additionally, the report found that funds might have been misused as part of the CRA contracting process since there is no specified procurement process for CRAs.<sup>63</sup>

While the Act states affordable housing is one of the three primary purposes for the existence of CRAs, the report found that the provision of affordable housing by CRAs “appears to be the exception and not the rule.”<sup>64</sup> The report stated that while CRAs cite prohibitive costs as a reason for not developing affordable housing, funds are often used for other purposes.<sup>65</sup> Some CRAs have requested that their boundaries be extended to include areas for low-income housing while not providing any affordable

<sup>54</sup> Section 163.387(6), F.S.

<sup>55</sup> Section 163.387(7), F.S.

<sup>56</sup> Section 163.387(8), F.S.

<sup>57</sup> Miami-Dade County Grand Jury, *Final Report for Spring Term A.D. 2015*, at 1 (filed Feb. 3, 2016).

<sup>58</sup> *Id.* at 7.

<sup>59</sup> *Id.* at 9.

<sup>60</sup> *Id.* at 14.

<sup>61</sup> *Id.* at 15.

<sup>62</sup> *Id.* at 16.

<sup>63</sup> *Id.* at 17.

<sup>64</sup> *Id.* at 19.

<sup>65</sup> *Id.*

housing.<sup>66</sup> Some CRA board members have stated the agencies do not focus on affordable housing because it does not produce sufficient revenue.<sup>67</sup>

Another area of concern for the grand jury was a focus on removing blight by improving the appearance of commercial areas, but leaving slum conditions in place, particularly in the form of multi-family housing that is “unsafe, unsanitary, and overcrowded.”<sup>68</sup> The grand jury points to news coverage of some apartment buildings with overflowing toilets and frequent losses of power due to the need for repairs. The report notes the contrast between these conditions and the use of some CRA proceeds to “fund ball stadiums, performing arts centers[,] and dog parks.”<sup>69</sup>

The grand jury report also notes that while a finding of necessity is required for creating a CRA, there is no process for determining whether the mission of the CRA has been fulfilled.<sup>70</sup>

The report concludes by making 29 recommendations for ensuring transparency and accountability in the operation of CRAs, including:

- Requiring all CRA boards to contain members of the community;
- Imposing a cap on annual CRA expenditures used for administrative costs;
- Requiring CRAs to adopt procurement guidelines that mirror those of the associated county or municipality;
- Requiring each CRA to submit its budget to the county commission with sufficient time for full consideration;
- Setting aside a percentage of TIF revenue for affordable housing; and
- Imposing ethics training requirements.<sup>71</sup>

### *Broward County Inspector General Reports*

The Broward County Office of the Inspector General has conducted two investigations into CRA operations in the past five years: Hallandale Beach CRA in 2013<sup>72</sup> and Margate CRA in 2014.<sup>73</sup>

The investigation into the Hallandale Beach CRA showed that the agency failed to create a trust fund and that the city commission failed to operate the CRA as an entity separate from the city.<sup>74</sup> The former executive director of the CRA stated the city had “free reign” to use funds from the CRA’s account.<sup>75</sup> The report found over \$2 million of questionable expenditures by the Hallandale Beach CRA between 2007 and 2012, including \$125,000 in inappropriate loans and \$152,494 spent on “civic promotions such as festivals and fireworks displays.”<sup>76</sup> After some of these issues were brought to the attention of the city and the CRA, the CRA continued working on a funding plan that included spending \$5,347,000 on two parks outside of the boundaries of the CRA. The report also found that the CRA paid “substantially more than its appraised value” to purchase a property owned by a church whose pastor was a city commissioner at the time.<sup>77</sup>

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<sup>66</sup> *Id.*

<sup>67</sup> *Id.* at 20.

<sup>68</sup> *Id.* at 22.

<sup>69</sup> *Id.*

<sup>70</sup> *Id.* at 32.

<sup>71</sup> *Id.* at 34-36.

<sup>72</sup> Broward Office of the Inspector Gen., *Final Report Re: Gross Mismanagement of Public Funds by the City of Hallandale Beach and the Hallandale Beach Community Redevelopment Agency*, OIG 11-020 (Apr. 18, 2013).

<sup>73</sup> Broward Office of the Inspector Gen., *Final Report Re: Misconduct by the Margate Community Redevelopment Agency in the Handling of Taxpayer Funds*, OIG 13-015A (July 22, 2014).

<sup>74</sup> *City of Hallandale Beach*, *supra* note 62, at 1.

<sup>75</sup> *Id.* at 28.

<sup>76</sup> *Id.* at 1.

<sup>77</sup> *Id.* at 2.

The investigation of the Margate CRA showed a failure to allocate properly TIF funds received from the county and other taxing authorities.<sup>78</sup> While the CRA stated unused funds were not returned because they were allocated for a specific project, the investigation showed the agency had a pattern of intentionally retaining excess unallocated funds for later use.<sup>79</sup> This pattern of misuse had resulted in a debt to the county of approximately \$2.7 million for fiscal years 2008-2012.<sup>80</sup>

### *Auditor General Report*

The Auditor General is required to conduct a performance audit of the local government financial information reporting system every three years.<sup>81</sup> As part of the most recent performance audit, the Auditor General made five findings concerning CRAs and suggestions to enhance current law:

- Create greater specificity as to the types of expenditures that qualify for undertakings of a CRA.
- Provide county taxing authorities more control over expenditures of CRAs created by municipalities to help ensure that CRA trust fund moneys are used appropriately.
- Require all CRAs, including those created before October 1, 1984, to follow the statutory requirements governing the specific authorized uses of CRA trust fund moneys.
- Allow CRAs to provide for reserves of unexpended CRA trust fund balances to be used during financial downturns.
- Require compliance with the audit requirement in s. 163.387(8), F.S., and require such audits to include a determination of compliance with laws pertaining to expenditure of, and disposition of unused, CRA trust fund moneys.<sup>82</sup>

### Ethics Training Requirements for Public Officials

Constitutional officers and all elected municipal officers must complete four hours of ethics training on an annual basis.<sup>83</sup> The required ethics training must include instruction on s. 8, Art. II of the Florida Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws. This requirement may be met by attending a continuing legal education class or other continuing professional education class, seminar, or presentation if the required subjects are covered.

### Inactive Special Districts

A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary. Special districts are created by general law,<sup>84</sup> special act,<sup>85</sup> local ordinance,<sup>86</sup> or by rule of the Governor and Cabinet.<sup>87</sup> A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district's charter. Special districts provide specific municipal services in addition to, or in place of, those provided

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<sup>78</sup> *Margate Community Redevelopment Agency*, *supra* note 63, at 1.

<sup>79</sup> *Id.*

<sup>80</sup> *Id.* at 2.

<sup>81</sup> Section 11.45(2)(g), F.S.

<sup>82</sup> Florida Auditor Gen., Report No. 2015-037 (Oct. 2014).

<sup>83</sup> Section 112.3142, F.S. A "constitutional officer" is defined as the Governor, the Lieutenant Governor, the Attorney General, the Chief Financial Officer, the Commissioner of Agriculture, state attorneys, public defenders, sheriffs, tax collectors, property appraisers, supervisors of elections, clerks of the circuit court, county commissioners, district school board members, and superintendents of schools.

<sup>84</sup> Section 189.031(3), F.S.

<sup>85</sup> *Id.*

<sup>86</sup> Section 189.02(1), F.S.

<sup>87</sup> Section 190.005(1), F.S. *See*, generally, s. 189.012(6), F.S.

by a municipality or county.<sup>88</sup> A special district may be “dependent”<sup>89</sup> or “independent.”<sup>90</sup> All CRAs are dependent special districts.<sup>91</sup>

The Special District Accountability Program within the Department of Economic Opportunity (DEO) is responsible for maintaining and electronically publishing the official list of all special districts in Florida.<sup>92</sup> The official list currently reports all active special districts as well as those declared inactive by DEO.

Whether dependent or independent, when a special district no longer fully functions or fails to meet its statutory responsibilities, DEO must declare the district inactive by following a specified process.<sup>93</sup> DEO must first document the factual basis for declaring the district inactive.

A special district may be declared inactive if it meets one of the following criteria:

- The registered agent of the district, the chair of the district governing body, or the governing body of the appropriate local general-purpose government:
  - Provides DEO with written notice that the district has taken no action for two or more years;
  - Provides DEO with written notice that the district has not had any members on its governing body or insufficient numbers to constitute a quorum for two or more years; or
  - Fails to respond to an inquiry by DEO within 21 days.<sup>94</sup>
- Following statutory procedure,<sup>95</sup> DEO determines the district failed to file specified reports,<sup>96</sup> including required financial reports.<sup>97</sup>
- For more than one year, no registered office or agent for the district was on file with DEO.<sup>98</sup>
- The governing body of the district unanimously adopts a resolution declaring the district inactive and provides documentation of the resolution to DEO.<sup>99</sup>

Once DEO determines which criterion applies to the district, notice of the proposed declaration of inactive status is published by DEO, the local general-purpose government for the area where the district is located, or the district itself.<sup>100</sup> The notice must state that any objections to declaring the district inactive must be filed with DEO pursuant to chapter 120, F.S., within 21 days after the publication date.<sup>101</sup> If no objection is filed within the 21-day period, DEO declares the district inactive.<sup>102</sup>

After declaring certain special districts inactive, DEO must send written notice of the declaration to the authorities that created the district. If the district was created by special act, DEO sends written notice

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<sup>88</sup> 2017 – 2018 Local Gov’t Formation Manual, 64, available at

<http://myfloridahouse.gov/Sections/Committees/committeesdetail.aspx?CommitteeId=2911> (last accessed Mar. 1, 2017).

<sup>89</sup> Section 189.012(2), F.S. A “dependent special district” is a special district where the membership of the governing body is identical to the governing body of a single county or municipality, all members of the governing body are appointed by the governing body of a single county or municipality, members of the district’s governing body are removable at will by the governing body of a single county or municipality, or the district’s budget is subject to the approval of the governing body of a single county or municipality.

<sup>90</sup> Section 189.012(3), F.S. An “independent special district” is a special district that is not a dependent district.

<sup>91</sup> See ss. 163.356, 163.357, F.S. (board of commissions of CRAs are appointed by a local governing body or are the local governing body).

<sup>92</sup> Sections 189.061(1), 189.064(2), F.S. Dept. of Economic Opportunity, Special District Accountability Program, *Official List of Special Districts Online*, <http://specialdistrictreports.floridajobs.org/webreports/mainindex.aspx> (last accessed Nov. 1, 2017).

<sup>93</sup> Section 189.062(1), F.S.

<sup>94</sup> Section 189.062(1)(a)1.-3., F.S.

<sup>95</sup> Section 189.067, F.S.

<sup>96</sup> Section 189.066, F.S.

<sup>97</sup> Section 189.062(1)(a)4., F.S. See ss. 189.016(9), 218.32, 218.39, F.S.

<sup>98</sup> Section 189.062(1)(a)5., F.S.

<sup>99</sup> Section 189.062(1)(a)6., F.S.

<sup>100</sup> Publication must be in a newspaper of general circulation in the county or municipality where the district is located and a copy must be sent by certified mail to the registered agent or chair of the district’s governing body, if any.

<sup>101</sup> Section 189.062(10)(b), F.S. The published notice also must include the name of the district, the law under which it was organized and operating, and a description of the district’s territory.

<sup>102</sup> Section 189.062(1)(c), F.S.

to the Speaker of the House of Representatives, the President of the Senate, and the standing committees in each chamber responsible for special district oversight.<sup>103</sup> The statute provides that the declaration of inactive status is sufficient notice under the Florida Constitution<sup>104</sup> to authorize the repeal of special laws creating or amending the charter of the inactive district.<sup>105</sup> This statute stands in lieu of the normal requirement for publication of notice of intent to file a local bill at least 30 days before introducing the bill in the Legislature.<sup>106</sup>

The property and assets of a special district declared inactive by DEO are first used to pay any debts of the district and any remaining property or assets then escheat to the county or municipality in which the district was located. If the district's assets are insufficient to pay its outstanding debts, the local general-purpose government in which the district was located may assess and levy within the territory of the inactive district such taxes as necessary to pay the remaining debt.<sup>107</sup>

A district declared inactive may not collect taxes, fees, or assessments.<sup>108</sup> This prohibition continues until the declaration of invalid status is withdrawn, revoked by DEO,<sup>109</sup> or invalidated in an administrative proceeding<sup>110</sup> or civil action<sup>111</sup> timely brought by the governing body of the special district.<sup>112</sup> Failure of the special district to challenge (or prevail against) the declaration of inactive status enables DEO to enforce the statute through a petition for enforcement in circuit court.<sup>113</sup>

Declaring a special district to be inactive does not dissolve the district or otherwise cease its legal existence. Subsequent action is required to repeal the legal authority creating the district, whether by the Legislature<sup>114</sup> or the entity that created the district.<sup>115</sup>

#### Annual Financial Reports for Local Government Entities

Counties, municipalities, and special districts must submit an annual financial report for the previous fiscal year to the Department of Financial Services (DFS).<sup>116</sup> The report must include component units of the local government entity submitting the report. If a local government entity is required to conduct an audit under s. 218.39, F.S., for the fiscal year, the annual financial report, as well as a copy of the audit report, must be submitted to DFS within 45 days of completion of the audit report, but no later than nine months after the end of the fiscal year. If the local government entity is not required to conduct such audit, the annual financial report is due no later than nine months after the end of the fiscal year. Each local government must provide a link to the annual audit report on its website.

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<sup>103</sup> Section 189.062(3), F.S.

<sup>104</sup> Art. III, s. 10, Fla. Const.

<sup>105</sup> Section 189.062(3), F.S.

<sup>106</sup> Section 11.02, F.S.

<sup>107</sup> Section 189.062(2), F.S.

<sup>108</sup> Section 189.062(5), F.S.

<sup>109</sup> Section 189.062(5)(a), F.S.

<sup>110</sup> Section 189.062(5)(b)1., F.S. Administrative proceedings are conducted pursuant to s. 120.569, F.S.

<sup>111</sup> Section 189.062(5)(b)2., F.S. The action for declaratory and injunctive relief is brought under ch. 86, F.S.

<sup>112</sup> The special district must initiate the legal challenge within 30 days after the date the written notice of DEO's declaration of inactive status is provided to the special district. Section 189.062(5)(b), F.S.

<sup>113</sup> Section 189.062(5)(c), F.S. The enforcement action is brought in the circuit court in and for Leon County.

<sup>114</sup> Sections 189.071(3), 189.072(3), F.S.

<sup>115</sup> Section 189.062(4), F.S. Unless otherwise provided by law or ordinance, dissolution of a special district transfers title to all district property to the local general-purpose government, which also must assume all debts of the dissolved district. Section 189.076(2), F.S.

<sup>116</sup> Section 218.32, F.S.

## **Effect of Proposed Changes**

### Creation and Termination of Community Redevelopment Agencies

The bill provides that the creation of new CRAs on or after October 1, 2018, may only occur by special act of the Legislature. It provides for the termination of existing CRAs at the earlier of the expiration date stated in the agency's charter<sup>117</sup> or on September 30, 2038. However, the governing board of a creating local government entity may prevent the termination of a CRA by a supermajority vote.<sup>118</sup> The bill does not provide a deadline by which such vote must occur.

If a governing board does not vote to continue a CRA with outstanding bond obligations as of October 1, 2018, and those bonds do not mature until after the earlier of the termination date of the agency or September 30, 2038, the bill provides that the CRA remains in existence until the bonds mature. A CRA in operation on or after September 30, 2038, may not extend the maturity date of its bonds. The bill requires a county or municipality operating an existing CRA to issue a new finding of necessity that is limited to meeting the remaining bond obligations of the CRA in a timely manner.

### Inactive Community Redevelopment Agencies

The bill provides a new inactivity criterion for CRAs. Any CRA reporting no revenues, no expenditures, and no debt for four consecutive fiscal years beginning on October 1, 2014, must be declared inactive by DEO. DEO must notify the CRA of the declaration of inactive status. If the CRA has no board or agent, the notice of inactive status must be delivered to the governing board of the creating local government entity. The governing board of a CRA declared inactive by this procedure may seek to invalidate the declaration by initiating proceedings under s. 189.062(5), F.S., within 30 days after the date of receipt of the DEO notice.

A CRA declared inactive may only expend funds from its redevelopment trust fund necessary to service outstanding bond debt. The CRA may not expend other funds without an ordinance of the governing body of the creating local government entity consenting to the expenditure of funds.

A CRA declared inactive by DEO in accordance with these criteria is exempt from the provisions of ss. 189.062(2) and 189.062(4), F.S. The bill further provides that the provisions of the new section are cumulative and where conflicting, superior to the provisions of s. 189.062, F.S., which provides special procedures for inactive special districts.

The bill directs DEO to maintain a separate list on its website of CRAs declared inactive pursuant to this new section. By November 1 of each year, the bill also requires DFS to submit an annual report to the Special District Accountability Program listing each CRA with no revenues, no expenditures, and no debt for the previous fiscal year.

### Budget

#### *Budget*

The bill requires CRAs to comply with the budgeting, auditing, and reporting requirements of s. 189.016, F.S., except as otherwise provided by s. 163.387, F.S.

The bill requires each CRA created by a municipality to submit its budget for the next fiscal year to the board of county commissioners for the county in which the CRA is located within 10 days after the date of the adoption. In addition, all amendments to the CRA's operating budget must be submitted to the board of county commissioners within 10 days after the date of the adoption of the amended budget.

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<sup>117</sup> The bill fixes the expiration date stated in the CRA charter as of October 1, 2018.

<sup>118</sup> The bill defines a supermajority as a majority of the board members plus one.

The bill also permits a CRA budget to include administrative and overhead expenses directly or indirectly necessary to implement a community redevelopment plan adopted by the CRA.

### *Redevelopment Trust Fund*

Effective October 1, 2018, the bill provides that moneys in the redevelopment trust fund may only be expended pursuant to an annual budget adopted by the board of commissioners of the CRA and only for those purposes specified in current law. The bill removes a three-year time limitation on the rollover of redevelopment trust fund moneys appropriated to a specific redevelopment project pursuant to an approved community redevelopment plan, but requires retained moneys to either be used for the appropriated project or re-appropriated pursuant to the next annual budget of the CRA (if the project is amended, redesigned, or delayed).

The bill authorizes the local governing body that created the CRA to determine the amount of TIF available to the CRA. The local governing body may set the level of funding at any amount between 50 percent and 95 percent of the increment.

### Reporting Requirements

#### *Annual Report*

Beginning March 31, 2019, and annually thereafter, the bill requires each CRA to submit an annual report to the county or municipality that created the agency and to post the report to the agency's website. The CRA must also publish a notice in a newspaper of general circulation in the community that the report has been filed and is available for inspection during business hours in the office of the clerk of the city or county commission and the office of the agency and on the agency's website. The report must include the most recent audit report of the redevelopment trust fund and provide performance data for each community redevelopment plan overseen by the CRA. The performance data report must include the following information as of December 31 of the year being reported:

- Total number of projects the CRA started, total number of projects completed, and the estimated cost of each project;
- Total expenditures from the redevelopment trust fund;
- Assessed real property values within the CRA's area of authority as of the day the agency was created;
- Total assessed real property values within the CRA as of January 1 of the year being reported;
- Earliest available commercial property vacancy rate within the CRA as of its creation;
- Current commercial property vacancy rates within the CRA;
- Assessed value of real property redeveloped within the CRA as of January 1 of each year reported;
- Earliest available residential property vacancy rates within the CRA as of its creation ;
- Current residential vacancy rate within the CRA;
- Total code enforcement violations within the CRA;
- Total amount expended for affordable housing for low and middle income residents, if the provision of affordable housing was part of the community redevelopment plan;
- Ratio of redevelopment funds to private funds expended within the CRA; and
- Names of sponsors or donors who contribute to the CRA and total amount sponsored or donated.

The bill requires each CRA to post, by January 1, 2019, a digital map on its website depicting the boundaries of the district and the total acreage of the district. If any change is made to the boundaries or total acreage, the bill requires the CRA to post the updated map files within 60 days after the date such change takes effect.



## *Audit and Financial Report*

The bill expands the current reporting requirements for the audit report of the redevelopment trust fund to include:

- A complete financial statement identifying all assets, liabilities, income, and operating expenses of the CRA as of the end of the fiscal year; and
- A finding by the auditor determining whether the CRA complied with the requirements concerning authorized expenditures from the redevelopment trust fund and the use of funds remaining at the conclusion of the fiscal year.

The bill provides that the audit requirement only applies to CRAs with revenues or total expenditures in excess of \$100,000. The bill requires the audit report for each CRA to be included with the annual financial report submitted to DFS by the county or municipality that created the CRA, even if the CRA files a separate financial report with the Department of Financial Services under s. 218.32, F.S. The audit must be conducted pursuant to rules adopted by the Auditor General. The bill provides that if a county or municipality has a CRA, failure to include the CRA's annual audit as part of its annual report to DFS constitutes a failure to complete the annual financial report under s. 218.32, F.S.

## Governance

The bill requires commissioners of a CRA to undergo annually at least four hours of ethics training on addressing constitutional ethics provisions, the Code of Ethics for Public Officers and Employees, and state public records and meetings laws.

The bill requires CRAs to utilize the same procurement and purchasing processes for commodities and services as the county or municipality that created the CRA.

## B. SECTION DIRECTORY:

Section 1: Amends s. 112.3142, F.S., specifying ethics training requirements for CRA commissioners.

Section 2: Amends s. 163.356, F.S., requiring a county or municipality, by resolution, to petition the Legislature to create a new CRA; establishing procedures for appointing members of the CRA board; providing reporting requirements.

Section 3: Amends s. 163.367, F.S., requiring ethics training for CRA commissioners.

Section 4: Amends s. 163.370, F.S., establishing procurement procedures for CRAs.

Section 5: Creates s. 163.371, F.S., providing reporting requirements; requiring publication of notices of reports; requiring reports to be available for inspection in designated places; requiring a CRA to post annual reports and boundary maps on its website.

Section 6: Creates s. 163.3755, F.S., providing termination dates for certain CRAs; requiring the creation of new CRAs to occur by special act after a time certain; providing a phase-out period for existing agencies under specified circumstances.

Section 7: Creates s. 163.3756, F.S., providing legislative findings; providing criteria for DEO to determine whether a CRA is inactive; establishing hearing procedures; requiring DEO to maintain a separate website identifying all inactive CRAs.

Section 8: Amends s. 163.387, F.S., specifying the level of TIF that the governing body may establish for funding the redevelopment trust fund; revising requirements for expenditure of redevelopment trust fund proceeds; revising requirements for the annual budget of a CRA; revising annual audit requirements.

Section 9: Amends s. 218.32, F.S., requiring local governments to include CRA annual audit reports as part of the local government entity's annual audit report to DFS.

Section 10: Provides an effective date of October 1, 2018.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

The bill may require expenditures by DEO and DFS to the extent additional staff are necessary to comply with duties created by the bill.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

The bill would increase revenue to some local governments to the extent ad valorem taxation that would otherwise be received by those governments is currently deposited in the redevelopment trust fund.

2. Expenditures:

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

### **D. FISCAL COMMENTS:**

None.

## **III. COMMENTS**

### **A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

### **B. RULE-MAKING AUTHORITY:**

The bill does not provide rulemaking authority or require executive branch rulemaking.

## C. DRAFTING ISSUES OR OTHER COMMENTS:

### Drafting Issues

On lines 404-410, the bill requires a CRA to submit its operating budget to the board of county commissioners "within 10 days after the adoption of such budget." The provision should be clarified to require submission of the operating budget within 10 days after "the date of adoption of such budget." In addition, the bill requires the CRA to submit amendments to its operating budget to the board of county commissioners within 10 days after the date the budget is adopted. This language should be clarified to refer to the date the amended budget is adopted.

On lines 440-441, the bill authorizes the CRA to use redevelopment trust fund moneys to exercise powers approved under s. 163.370, F.S. Section 163.370, F.S., grants certain powers to counties and municipalities for purposes of preventing and eliminating slum and blight. Those powers may be delegated to a CRA pursuant to the provisions of s. 163.358, F.S. As such, the bill should be clarified to state a CRA may expend funds to exercise those powers to the extent they have been delegated by the creating county or municipality.

### Other Comments: Annual Financial Report

On lines 490-497, the bill provides that a local government entity that does not include the annual financial report for each CRA created by the local government entity with its annual financial report is deemed to have failed to submit its annual financial report. It is unclear if a county or municipality would be required to submit an annual financial report on behalf of a CRA created by special act on behalf of the county or municipality with its annual financial report.

## **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

Not applicable.

1                                   A bill to be entitled  
2           An act relating to community redevelopment agencies;  
3           amending s. 112.3142, F.S.; specifying ethics training  
4           requirements for community redevelopment agency  
5           commissioners; amending s. 163.356, F.S.; requiring a  
6           county or municipality, by resolution, to petition the  
7           Legislature to create a new community redevelopment  
8           agency; establishing procedures for appointing members  
9           of the board of the community redevelopment agency;  
10          providing reporting requirements; deleting provisions  
11          requiring certain annual reports; amending s. 163.367,  
12          F.S.; requiring ethics training for community  
13          redevelopment agency commissioners; amending s.  
14          163.370, F.S.; establishing procurement procedures;  
15          creating s. 163.371, F.S.; providing annual reporting  
16          requirements; requiring publication of notices of  
17          reports; requiring reports to be available for  
18          inspection in designated places; requiring a community  
19          redevelopment agency to post annual reports and  
20          boundary maps on its website; creating s. 163.3755,  
21          F.S.; providing termination dates for certain  
22          community redevelopment agencies; requiring the  
23          creation of new community redevelopment agencies to  
24          occur by special act after a date certain; providing a  
25          phase-out period for existing community redevelopment

26 agencies under specified circumstances; creating s.  
 27 163.3756, F.S.; providing legislative findings;  
 28 requiring the Department of Economic Opportunity to  
 29 declare inactive community redevelopment agencies that  
 30 have reported no financial activity for a specified  
 31 number of years; providing hearing procedures;  
 32 authorizing certain financial activity by a community  
 33 redevelopment agency that is declared inactive;  
 34 requiring the Department of Economic Opportunity to  
 35 maintain a website identifying all inactive community  
 36 redevelopment agencies; amending s. 163.387, F.S.;  
 37 specifying the level of tax increment financing that  
 38 the governing body may establish for funding the  
 39 redevelopment trust fund; revising requirements for  
 40 the expenditure of redevelopment trust fund proceeds;  
 41 revising requirements for the annual budget of a  
 42 community redevelopment agency; requiring municipal  
 43 community redevelopment agencies to provide annual  
 44 budget to county commission; specifying allowed  
 45 expenditures from the annual budget; revising  
 46 requirements for use of moneys in the redevelopment  
 47 trust fund for specific redevelopment projects;  
 48 revising requirements for the annual audit; requiring  
 49 the audit to be included with the financial report of  
 50 the county or municipality that created the community

51 redevelopment agency; amending s. 218.32, F.S.;

52 requiring county and municipal governments to submit

53 community redevelopment agency annual audit reports as

54 part of an annual report; revising criteria for

55 finding that a county or municipality failed to file a

56 report; requiring the Department of Financial Services

57 to provide to the Department of Economic Opportunity a

58 list of community redevelopment agencies with no

59 revenues, no expenditures, and no debts; providing an

60 effective date.

61

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

63

64 Section 1. Subsection (2) of section 112.3142, Florida

65 Statutes, is amended to read:

66 112.3142 Ethics training for specified constitutional

67 officers and elected municipal officers.—

68 (2)(a) All constitutional officers must complete 4 hours

69 of ethics training each calendar year which addresses, at a

70 minimum, s. 8, Art. II of the State Constitution, the Code of

71 Ethics for Public Officers and Employees, and the public records

72 and public meetings laws of this state. This requirement may be

73 satisfied by completion of a continuing legal education class or

74 other continuing professional education class, seminar, or

75 presentation if the required subjects are covered.

76 (b) Beginning January 1, 2015, all elected municipal  
 77 officers must complete 4 hours of ethics training each calendar  
 78 year which addresses, at a minimum, s. 8, Art. II of the State  
 79 Constitution, the Code of Ethics for Public Officers and  
 80 Employees, and the public records and public meetings laws of  
 81 this state. This requirement may be satisfied by completion of a  
 82 continuing legal education class or other continuing  
 83 professional education class, seminar, or presentation if the  
 84 required subjects are covered.

85 (c) Beginning October 1, 2018, each commissioner of a  
 86 community redevelopment agency under part III of chapter 163  
 87 must complete 4 hours of ethics training each calendar year  
 88 which addresses, at a minimum, s. 8, Art. II of the State  
 89 Constitution, the Code of Ethics for Public Officers and  
 90 Employees, and the public records and public meetings laws of  
 91 this state. This requirement may be satisfied by completion of a  
 92 continuing legal education class or other continuing  
 93 professional education class, seminar, or presentation if the  
 94 required subjects are covered.

95 ~~(d)(e)~~ The commission shall adopt rules establishing  
 96 minimum course content for the portion of an ethics training  
 97 class which addresses s. 8, Art. II of the State Constitution  
 98 and the Code of Ethics for Public Officers and Employees.

99 ~~(e)(d)~~ The Legislature intends that a constitutional  
 100 officer or elected municipal officer who is required to complete

101 ethics training pursuant to this section receive the required  
 102 training as close as possible to the date that he or she assumes  
 103 office. A constitutional officer or elected municipal officer  
 104 assuming a new office or new term of office on or before March  
 105 31 must complete the annual training on or before December 31 of  
 106 the year in which the term of office began. A constitutional  
 107 officer or elected municipal officer assuming a new office or  
 108 new term of office after March 31 is not required to complete  
 109 ethics training for the calendar year in which the term of  
 110 office began.

111 Section 2. Subsections (1), (2), and (3) of section  
 112 163.356, Florida Statutes, are amended to read:

113 163.356 Creation of community redevelopment agency.—

114 (1) Upon a finding of necessity as set forth in s.  
 115 163.355, and upon a further finding that there is a need for a  
 116 community redevelopment agency to function in the county or  
 117 municipality to carry out the community redevelopment purposes  
 118 of this part, any county or municipality may, by resolution,  
 119 petition the Legislature to create a public body corporate and  
 120 politic to be known as a "community redevelopment agency." ~~A~~  
 121 ~~charter county having a population less than or equal to 1.6~~  
 122 ~~million may create, by a vote of at least a majority plus one of~~  
 123 ~~the entire governing body of the charter county, more than one~~  
 124 ~~community redevelopment agency.~~ Each such agency shall be  
 125 constituted as a public instrumentality, and the exercise by a



126 community redevelopment agency of the powers conferred by this  
 127 part shall be deemed and held to be the performance of an  
 128 essential public function. Community redevelopment agencies of a  
 129 county have the power to function within the corporate limits of  
 130 a municipality only as, if, and when the governing body of the  
 131 municipality has by resolution concurred in the community  
 132 redevelopment plan or plans proposed by the governing body of  
 133 the county.

134 (2) As of the creation date of a community redevelopment  
 135 agency, the governing ~~When the governing body adopts a~~  
 136 ~~resolution declaring the need for a community redevelopment~~  
 137 ~~agency, that~~ body shall, by ordinance, appoint a board of  
 138 commissioners of the community redevelopment agency, which shall  
 139 consist of not fewer than five or more than nine commissioners.  
 140 The terms of office of the commissioners shall be for 4 years,  
 141 except that three of the members first appointed shall be  
 142 designated to serve terms of 1, 2, and 3 years, respectively,  
 143 from the date of their appointments, and all other members shall  
 144 be designated to serve for terms of 4 years from the date of  
 145 their appointments. A vacancy occurring during a term shall be  
 146 filled for the unexpired term. As provided in an interlocal  
 147 agreement between the governing body that created the agency and  
 148 one or more taxing authorities, one or more members of the board  
 149 of commissioners of the agency may be representatives of a  
 150 taxing authority, including members of that taxing authority's

151 governing body, whose membership on the board of commissioners  
 152 of the agency would be considered an additional duty of office  
 153 as a member of the taxing authority governing body.

154 (3) (a) A commissioner shall receive no compensation for  
 155 services, but is entitled to the necessary expenses, including  
 156 travel expenses, incurred in the discharge of duties. Each  
 157 commissioner shall hold office until his or her successor has  
 158 been appointed and has qualified. A certificate of the  
 159 appointment or reappointment of any commissioner shall be filed  
 160 with the clerk of the county or municipality, and such  
 161 certificate is conclusive evidence of the due and proper  
 162 appointment of such commissioner.

163 (b) The powers of a community redevelopment agency shall  
 164 be exercised by the commissioners thereof. A majority of the  
 165 commissioners constitutes a quorum for the purpose of conducting  
 166 business and exercising the powers of the agency and for all  
 167 other purposes. Action may be taken by the agency upon a vote of  
 168 a majority of the commissioners present, unless in any case the  
 169 bylaws require a larger number. Any person may be appointed as  
 170 commissioner if he or she resides or is engaged in business,  
 171 which means owning a business, practicing a profession, or  
 172 performing a service for compensation, or serving as an officer  
 173 or director of a corporation or other business entity so  
 174 engaged, within the area of operation of the agency, which shall  
 175 be coterminous with the area of operation of the county or

176 municipality, and is otherwise eligible for such appointment  
 177 under this part.

178 (c) The governing body of the county or municipality shall  
 179 designate a chair and vice chair from among the commissioners.  
 180 An agency may employ an executive director, technical experts,  
 181 and such other agents and employees, permanent and temporary, as  
 182 it requires, and determine their qualifications, duties, and  
 183 compensation. For such legal service as it requires, an agency  
 184 may employ or retain its own counsel and legal staff.

185 (d) An agency authorized to transact business and exercise  
 186 powers under this part shall file with the governing body the  
 187 report required under s. 163.371(1), ~~on or before March 31 of~~  
 188 ~~each year, a report of its activities for the preceding fiscal~~  
 189 ~~year, which report shall include a complete financial statement~~  
 190 ~~setting forth its assets, liabilities, income, and operating~~  
 191 ~~expenses as of the end of such fiscal year. At the time of~~  
 192 ~~filing the report, the agency shall publish in a newspaper of~~  
 193 ~~general circulation in the community a notice to the effect that~~  
 194 ~~such report has been filed with the county or municipality and~~  
 195 ~~that the report is available for inspection during business~~  
 196 ~~hours in the office of the clerk of the city or county~~  
 197 ~~commission and in the office of the agency.~~

198 (e) ~~(d)~~ At any time after the creation of a community  
 199 redevelopment agency, the governing body of the county or  
 200 municipality may appropriate to the agency such amounts as the

201 governing body deems necessary for the administrative expenses  
 202 and overhead of the agency, including the development and  
 203 implementation of community policing innovations.

204 Section 3. Subsection (1) of section 163.367, Florida  
 205 Statutes, is amended to read:

206 163.367 Public officials, commissioners, and employees  
 207 subject to code of ethics.-

208 (1) (a) The officers, commissioners, and employees of a  
 209 community redevelopment agency created by, or designated  
 210 pursuant to, s. 163.356 or s. 163.357 are ~~shall be~~ subject to  
 211 the provisions and requirements of part III of chapter 112.

212 (b) Commissioners of a community redevelopment agency must  
 213 comply with the ethics training requirements in s. 112.3142.

214 Section 4. Subsection (5) is added to section 163.370,  
 215 Florida Statutes, to read:

216 163.370 Powers; counties and municipalities; community  
 217 redevelopment agencies.-

218 (5) A community redevelopment agency shall procure all  
 219 commodities and services using the same purchasing processes and  
 220 requirements that apply to the county or municipality that  
 221 created the community redevelopment agency.

222 Section 5. Section 163.371, Florida Statutes, is created  
 223 to read:

224 163.371 Reporting requirements.-

225 (1) Beginning March 31, 2019, and no later than March 31

226 of each year thereafter, a community redevelopment agency shall  
 227 file an annual report with the county or municipality that  
 228 created the agency and post the report on the agency's website.  
 229 At the time the report is filed and posted on the website, the  
 230 agency shall also publish in a newspaper of general circulation  
 231 in the community a notice that such report has been filed with  
 232 the county or municipality and that the report is available for  
 233 inspection during business hours in the office of the clerk of  
 234 the city or county commission, in the office of the agency, and  
 235 on the website of the agency. The report must include the  
 236 following information:

237 (a) The most recent audit report for the community  
 238 redevelopment agency prepared pursuant to s. 163.387(8).

239 (b) The performance data for each plan authorized,  
 240 administered, or overseen by the community redevelopment agency  
 241 as of December 31 of the year being reported, including the:

242 1. Total number of projects started, total number of  
 243 projects completed, and estimated project cost for each project.

244 2. Total expenditures from the redevelopment trust fund.

245 3. Assessed real property values of property located  
 246 within the boundaries of the community redevelopment agency as  
 247 of the day the agency was created.

248 4. Total assessed real property values of property within  
 249 the boundaries of the community redevelopment agency as of  
 250 January 1 of the year being reported.

251        5. Earliest data available as of the date the agency was  
 252 created, providing total commercial property vacancy rates  
 253 within the community redevelopment agency.

254        6. Total commercial property vacancy rates within the  
 255 boundaries of the community redevelopment agency.

256        7. Assessed real property values for redeveloped  
 257 properties within the boundaries of the community redevelopment  
 258 agency as of January 1 of the year being reported.

259        8. Earliest data available as of the day the agency was  
 260 created, providing total housing vacancy rates within the  
 261 boundaries of the community redevelopment agency.

262        9. Total housing vacancy rates within the boundaries of  
 263 the community redevelopment agency.

264        10. Total number of code enforcement violations within the  
 265 boundaries of the community redevelopment agency.

266        11. Total amount expended for affordable housing for low  
 267 and middle income residents, if the community redevelopment  
 268 agency has affordable housing as part of its community  
 269 redevelopment plan.

270        12. Name of the sponsor or donor and total amount  
 271 sponsored or donated for sponsorships and donations that were  
 272 made to the community redevelopment agency.

273        13. Ratio of redevelopment funds to private funds expended  
 274 within the boundaries of the community redevelopment agency.

275        (2) By January 1, 2019, each community redevelopment

276 agency shall post on its website digital maps that depict the  
 277 geographic boundaries and total acreage of the community  
 278 redevelopment agency. If any change is made to the boundaries or  
 279 total acreage, the agency shall post updated map files on its  
 280 website within 60 days after the date such change takes effect.

281 Section 6. Section 163.3755, Florida Statutes, is created  
 282 to read:

283 163.3755 Termination of community redevelopment agencies;  
 284 prohibition on future creation.-

285 (1) A community redevelopment agency in existence on  
 286 October 1, 2018, shall terminate on the expiration date provided  
 287 in the agency's charter on October 1, 2018, or on September 30,  
 288 2038, whichever is earlier, unless the governing body of the  
 289 county or municipality that created the community redevelopment  
 290 agency approves its continued existence by a super majority  
 291 (majority plus one) vote of the members of the governing body.

292 (2)(a) If the governing body of the county or municipality  
 293 that created the community redevelopment agency does not approve  
 294 its continued existence by a super majority (majority plus one)  
 295 vote of the governing body members, a community redevelopment  
 296 agency with outstanding bonds as of October 1, 2018, that do not  
 297 mature until after the earlier of the termination date of the  
 298 agency or September 30, 2038, remains in existence until the  
 299 date the bonds mature.

300 (b) A community redevelopment agency operating under this

301 subsection on or after September 30, 2038, may not extend the  
 302 maturity date of any outstanding bonds.

303 (c) The county or municipality that created the community  
 304 redevelopment agency must issue a new finding of necessity  
 305 limited to timely meeting the remaining bond obligations of the  
 306 community redevelopment agency.

307 (3) On or after October 1, 2018, a community redevelopment  
 308 agency may be created only by special act of the Legislature. A  
 309 community redevelopment agency in existence before October 1,  
 310 2018, may continue to operate as provided in this part.

311 Section 7. Section 163.3756, Florida Statutes, is created  
 312 to read:

313 163.3756 Inactive community redevelopment agencies.-

314 (1) The Legislature finds that a number of community  
 315 redevelopment agencies continue to exist but report no revenues,  
 316 no expenditures, and no outstanding debt in their annual reports  
 317 to the Department of Financial Services pursuant to s. 218.32.

318 (2)(a) A community redevelopment agency that has reported  
 319 no revenues, no expenditures, and no debt under s. 218.32 or s.  
 320 189.016(9), for 4 consecutive fiscal years beginning on October  
 321 1, 2014, shall be declared inactive by the Department of  
 322 Economic Opportunity. The department shall notify the agency of  
 323 the declaration of inactive status under this subsection. If the  
 324 agency has no board members or no agent, the notice of inactive  
 325 status must be delivered to the governing board or commission of



326 the county or municipality that created the agency.

327 (b) The governing board of a community redevelopment  
 328 agency declared inactive under this subsection may seek to  
 329 invalidate the declaration by initiating proceedings under s.  
 330 189.062(5) within 30 days after the date of the receipt of the  
 331 notice from the department.

332 (3) A community redevelopment agency declared inactive  
 333 under this section is authorized only to expend funds from the  
 334 redevelopment trust fund as necessary to service outstanding  
 335 bond debt. The agency may not expend other funds without an  
 336 ordinance of the governing body of the local government that  
 337 created the agency consenting to the expenditure of funds.

338 (4) The provisions of s. 189.062(2) and (4) do not apply  
 339 to a community redevelopment agency that has been declared  
 340 inactive under this section.

341 (5) The provisions of this section are cumulative to the  
 342 provisions of s. 189.062. To the extent the provisions of this  
 343 section conflict with the provisions of s. 189.062, this section  
 344 prevails.

345 (6) The Department of Economic Opportunity shall maintain  
 346 on its website a separate list of community redevelopment  
 347 agencies declared inactive under this section.

348 Section 8. Paragraph (a) of subsection (1), subsection  
 349 (6), paragraph (d) of subsection (7), and subsection (8) of  
 350 section 163.387, Florida Statutes, are amended to read:

351           163.387 Redevelopment trust fund.—  
 352           (1)(a) After approval of a community redevelopment plan,  
 353 there may be established for each community redevelopment agency  
 354 created under s. 163.356 a redevelopment trust fund. Funds  
 355 allocated to and deposited into this fund shall be used by the  
 356 agency to finance or refinance any community redevelopment it  
 357 undertakes pursuant to the approved community redevelopment  
 358 plan. No community redevelopment agency may receive or spend any  
 359 increment revenues pursuant to this section unless and until the  
 360 governing body has, by ordinance, created the trust fund and  
 361 provided for the funding of the redevelopment trust fund until  
 362 the time certain set forth in the community redevelopment plan  
 363 as required by s. 163.362(10). Such ordinance may be adopted  
 364 only after the governing body has approved a community  
 365 redevelopment plan. The annual funding of the redevelopment  
 366 trust fund shall be in an amount not less than that increment in  
 367 the income, proceeds, revenues, and funds of each taxing  
 368 authority derived from or held in connection with the  
 369 undertaking and carrying out of community redevelopment under  
 370 this part. Such increment shall be determined annually and shall  
 371 be that amount equal to 95 percent of the difference between:  
 372           1. The amount of ad valorem taxes levied each year by each  
 373 taxing authority, exclusive of any amount from any debt service  
 374 millage, on taxable real property contained within the  
 375 geographic boundaries of a community redevelopment area; and

376 2. The amount of ad valorem taxes which would have been  
 377 produced by the rate upon which the tax is levied each year by  
 378 or for each taxing authority, exclusive of any debt service  
 379 millage, upon the total of the assessed value of the taxable  
 380 real property in the community redevelopment area as shown upon  
 381 the most recent assessment roll used in connection with the  
 382 taxation of such property by each taxing authority prior to the  
 383 effective date of the ordinance providing for the funding of the  
 384 trust fund.

385  
 386 However, the governing body ~~of any county as defined in s.~~  
 387 ~~125.011(1)~~ may, in the ordinance providing for the funding of a  
 388 trust fund established with respect to any community  
 389 redevelopment area ~~created on or after July 1, 1994~~, determine  
 390 that the amount to be funded by each taxing authority annually  
 391 shall be less than 95 percent of the difference between  
 392 subparagraphs 1. and 2., but in no event shall such amount be  
 393 less than 50 percent of such difference.

394 (6) Beginning October 1, 2018, moneys in the redevelopment  
 395 trust fund may be expended ~~from time to time~~ for undertakings of  
 396 a community redevelopment agency as described in the community  
 397 redevelopment plan only pursuant to an annual budget adopted by  
 398 the board of commissioners of the community redevelopment agency  
 399 and only for the following purposes, ~~including, but not limited~~  
 400 ~~to~~:

401           (a) Except as provided in this subsection, a community  
 402 redevelopment agency shall comply with the requirements of s.  
 403 189.016.

404           (b) A community redevelopment agency created by a  
 405 municipality shall submit its operating budget to the board of  
 406 county commissioners for the county in which the agency is  
 407 located within 10 days after the adoption of such budget and  
 408 submit amendments of its operating budget to the board of county  
 409 commissioners within 10 days after the date the budget is  
 410 adopted. ~~Administrative and overhead expenses necessary or~~  
 411 ~~incidental to the implementation of a community redevelopment~~  
 412 ~~plan adopted by the agency.~~

413           (c) The annual budget of a community redevelopment agency  
 414 may provide for payment of the following expenses:

415           1. Administrative and overhead expenses directly or  
 416 indirectly necessary to implement a community redevelopment plan  
 417 adopted by the agency.

418           2. ~~(b)~~ Expenses of redevelopment planning, surveys, and  
 419 financial analysis, including the reimbursement of the governing  
 420 body or the community redevelopment agency for such expenses  
 421 incurred before the redevelopment plan was approved and adopted.

422           3. ~~(e)~~ The acquisition of real property in the  
 423 redevelopment area.

424           4. ~~(d)~~ The clearance and preparation of any redevelopment  
 425 area for redevelopment and relocation of site occupants within

426 or outside the community redevelopment area as provided in s.  
 427 163.370.

428 ~~5.(e)~~ The repayment of principal and interest or any  
 429 redemption premium for loans, advances, bonds, bond anticipation  
 430 notes, and any other form of indebtedness.

431 ~~6.(f)~~ All expenses incidental to or connected with the  
 432 issuance, sale, redemption, retirement, or purchase of bonds,  
 433 bond anticipation notes, or other form of indebtedness,  
 434 including funding of any reserve, redemption, or other fund or  
 435 account provided for in the ordinance or resolution authorizing  
 436 such bonds, notes, or other form of indebtedness.

437 ~~7.(g)~~ The development of affordable housing within the  
 438 community redevelopment area.

439 ~~8.(h)~~ The development of community policing innovations.

440 9. Expenses that are necessary to exercise the powers  
 441 approved under s. 163.370.

442 (7) On the last day of the fiscal year of the community  
 443 redevelopment agency, any money which remains in the trust fund  
 444 after the payment of expenses pursuant to subsection (6) for  
 445 such year shall be:

446 (d) Appropriated to a specific redevelopment project  
 447 pursuant to an approved community redevelopment plan. The funds  
 448 appropriated for such project may not be changed unless the  
 449 project is amended, redesigned, or delayed, in which case the  
 450 funds must be reappropriated pursuant to the next annual budget

451 adopted by the board of commissioners of the community  
 452 redevelopment agency ~~which project will be completed within 3~~  
 453 ~~years from the date of such appropriation.~~

454 (8) (a) Each community redevelopment agency with revenues  
 455 or a total of expenditures and expenses in excess of \$100,000,  
 456 as reported on the trust fund financial statements, shall  
 457 provide for a financial ~~an~~ audit ~~of the trust fund~~ each fiscal  
 458 year and a report of such audit shall ~~to~~ be prepared by an  
 459 independent certified public accountant or firm. Each financial  
 460 audit provided pursuant to this subsection shall be conducted in  
 461 accordance with rules for audits adopted by the Auditor General  
 462 which are in effect as of the last day of the community  
 463 redevelopment agency's fiscal year being audited.

464 (b) The audit ~~Such~~ report shall:

465 1. Describe the amount and source of deposits into, and  
 466 the amount and purpose of withdrawals from, the trust fund  
 467 during the ~~such~~ fiscal year and the amount of principal and  
 468 interest paid during such year on any indebtedness to which  
 469 increment revenues are pledged and the remaining amount of such  
 470 indebtedness.

471 2. Include a complete financial statement identifying the  
 472 assets, liabilities, income, and operating expenses of the  
 473 community redevelopment agency as of the end of such fiscal  
 474 year.

475 3. Include a finding by the auditor determining whether

476 the community redevelopment agency complied with the  
 477 requirements of subsections (6) and (7).

478 (c) The audit report for the community redevelopment  
 479 agency shall be included with the annual financial report  
 480 submitted by the county or municipality that created the agency  
 481 to the Department of Financial Services as provided in s.  
 482 218.32, regardless of whether the agency reports separately  
 483 under s. 218.32.

484 (d) The agency shall provide ~~by registered mail~~ a copy of  
 485 the audit report to each taxing authority.

486 Section 9. Subsection (4) is added to section 218.32,  
 487 Florida Statutes, to read:

488 218.32 Annual financial reports; local governmental  
 489 entities.-

490 (4) (a) A local governmental entity that does not include  
 491 with its annual financial report submitted to the department the  
 492 audit report required by s. 163.387(8) for each community  
 493 redevelopment agency created by the reporting entity shall be  
 494 deemed to have failed to submit an annual financial report. The  
 495 department shall report such failure to the Legislative Auditing  
 496 Committee and the Special District Accountability Program of the  
 497 Department of Economic Opportunity.

498 (b) By November 1 of each year, the department must  
 499 provide the Special District Accountability Program with a list  
 500 of each community redevelopment agency reporting no revenues, no

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501 expenditures, and no debt for the community redevelopment  
502 agency's previous fiscal year.

503       Section 10. This act shall take effect October 1, 2018.





Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Government Accountability  
 2 Committee  
 3 Representatives Raburn and Caldwell offered the following:

**Amendment**

6 Remove lines 320-321 and insert:  
 7 189.016(9), for 3 consecutive fiscal years beginning on October  
 8 1, 2015, shall be declared inactive by the Department of



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Government Accountability  
2 Committee  
3 Representatives Raburn and Caldwell offered the following:

**Amendment**

6 Remove lines 407-410 and insert:  
7 located within 10 days after the date of adoption of such budget  
8 and submit amendments of its operating budget to the board of  
9 county commissioners within 10 days after the date the amended  
10 budget is adopted. ~~Administrative and overhead expenses~~  
11 necessary or



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Government Accountability  
 2 Committee  
 3 Representatives Raburn and Caldwell offered the following:

**Amendment**

Remove lines 440-441 and insert:

7 9. Expenses that are necessary to exercise the powers  
 8 granted under s. 163.370, as delegated pursuant to s. 163.358.



Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Government Accountability  
 2 Committee  
 3 Representatives Raburn and Caldwell offered the following:

**Amendment**

4  
 5  
 6 Remove line 493 and insert:  
 7 redevelopment agency created by the reporting entity, or as the  
 8 result of a petition by the reporting entity pursuant to s.  
 9 163.356(1), shall be