



26 (3) is added to that section to read:

27 190.005 Establishment of district.—

28 (3) A petition to establish a new community development  
29 district of less than 2,500 acres as set forth in subsection (2)  
30 over land located solely in one county or one municipality may  
31 identify adjacent parcels located within that county or  
32 municipality that the petitioner expects to add to the  
33 district's boundaries within the next 10 years. Such petition  
34 shall include the legal description, the name of the current  
35 landowner, the acreage, and the current land use designation of  
36 each additional parcel to be added to the district. The current  
37 landowners shall receive notice of the filing of the petition to  
38 establish the district, the date and time of the public hearing  
39 on the petition, and the name and address of the petitioner at  
40 least 14 days before the hearing required by paragraph (2)(b). A  
41 parcel may not be included in the petition without the written  
42 consent of the landowner.

43 Section 2. Paragraph (h) is added to subsection (1) of  
44 section 190.046, Florida Statutes, and subsection (3) of that  
45 section is amended, to read:

46 190.046 Termination, contraction, or expansion of  
47 district.—

48 (1) A landowner or the board may petition to contract or  
49 expand the boundaries of a community development district in the  
50 following manner:

51 (h)1. For those districts established using the procedures  
 52 under s. 190.005(3), a person may file a petition with the  
 53 applicable county commission to amend the district's boundaries  
 54 to include parcels that were identified in the petition that  
 55 established the district. The county commission may not charge a  
 56 filing fee for the petition. Each petition must include:

57 a. A metes and bounds description of each parcel to be  
 58 added to the district.

59 b. A new legal description by metes and bounds of the  
 60 district with the parcels added.

61 c. Written consent of 100 percent of the landowners of the  
 62 parcels to be added to the district.

63 d. A map of the district with the parcels added.

64 e. A description of the development proposed on each  
 65 parcel to be added to the district.

66 f. A copy of the original petition.

67 2. Before filing the petition with the establishing county  
 68 commission, the petitioner shall provide a copy of the petition  
 69 to the district and to the landowner of each parcel to be added  
 70 to the district.

71 3. Once the petition is determined to be sufficient and  
 72 complete, the county commission shall process the addition of  
 73 the parcels to the district as an amendment to the ordinance  
 74 that established the district. The county commission may process  
 75 each petition to amend such ordinance even if adding a parcel

76 | would cause the district to be larger than 2500 acres.

77 | 4. The petitioner shall cause a notice of intent to amend  
78 | the ordinance that established the district to be published in a  
79 | newspaper of general circulation within the county. The notice  
80 | must be published at least 10 days before the scheduled hearing  
81 | on the ordinance amendment and may be published in that portion  
82 | of the newspaper in which legal notices appear. The notice must  
83 | include a general description of the parcel to be added to the  
84 | district and the date and time of the scheduled hearing to amend  
85 | the ordinance. The notice shall also be mailed by the petitioner  
86 | to the district and, if applicable, to each landowner of each  
87 | parcel to be added to the district at least 14 days before the  
88 | scheduled hearing. The notice required in this subparagraph is  
89 | in addition to any notice required to adopt the ordinance  
90 | amendment.

91 | 5. The expansion of a district's boundaries by the  
92 | addition of a parcel does not alter the method of transitioning  
93 | from landowner to qualified elector voting as set forth in s.  
94 | 190.006, even if the total size of the district after the  
95 | addition of the parcel exceeds 5,000 acres. Upon adoption of the  
96 | ordinance amendment expanding the district's boundaries, the  
97 | petitioner must file a notice of boundary amendment with the  
98 | Florida Land and Water Adjudicatory Commission identifying the  
99 | district's new boundaries.

100 |

101 Nothing contained in this paragraph prohibits a community  
102 development district established under s. 190.005(3) from adding  
103 parcels to the district using the procedures set forth in this  
104 section.

105 (3) (a) The district may merge with other community  
106 development districts upon filing a petition for merger, which  
107 petition shall include the elements set forth in s. 190.005(1)  
108 and which shall be evaluated using the criteria set forth in s.  
109 190.005(1) (e). The filing fee shall be as set forth in s.  
110 190.005(1) (b). In addition, the petition shall state whether a  
111 new district is to be established or whether one district shall  
112 be the surviving district. The district may merge with any other  
113 special districts upon filing a petition for establishment of a  
114 community development district pursuant to s. 190.005. The  
115 government formed by a merger involving a community development  
116 district pursuant to this section shall assume all indebtedness  
117 of, and receive title to, all property owned by the preexisting  
118 special districts, and the rights of creditors and liens upon  
119 property shall not be impaired by such merger. Any claim  
120 existing or action or proceeding pending by or against any  
121 district that is a party to the merger may be continued as if  
122 the merger had not occurred, or the surviving district may be  
123 substituted in the proceeding for the district that ceased to  
124 exist. Prior to filing the petition, the districts desiring to  
125 merge shall enter into a merger agreement and shall provide for

126 the proper allocation of the indebtedness so assumed and the  
127 manner in which such debt shall be retired. The approval of the  
128 merger agreement and the petition by the board of supervisors of  
129 the district shall constitute consent of the landowners within  
130 the district.

131 (b) A community development district may also merge with a  
132 special district formed by a special act, pursuant to the terms  
133 of that special act. A community development district that  
134 merges with such a special district may enter into a merger  
135 agreement to address transition issues, including the allocation  
136 of indebtedness and retirement of debt. Approval of the merger  
137 agreement by the board of supervisors of the community  
138 development district constitutes consent of the landowners  
139 within the community development district.

140 (c) The new government formed by a merger as set forth in  
141 paragraph (b) assumes the indebtedness of, and receives title  
142 to, all property owned by the preexisting community development  
143 district, and the rights of creditors and liens upon the  
144 property shall not be impaired by such merger. Any existing  
145 claim or action or proceeding pending by or against any  
146 community development district that is a party to the merger may  
147 be continued as if the merger had not occurred, or the surviving  
148 special district may be substituted in the proceeding for the  
149 community development district that ceased to exist.

150 Section 3. This act shall take effect July 1, 2019.