

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1956

SPONSOR: Senators Constantine and Webster

SUBJECT: Growth Management

DATE: March 19, 2003 REVISED: 03/27/03 04/07/03 _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Herrin</u>	<u>Yeatman</u>	<u>CP</u>	<u>Favorable</u>
2.	<u>Branning</u>	<u>Kiger</u>	<u>NR</u>	<u>Fav/1 amendment</u>
3.	_____	_____	<u>ATD</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill creates the “Wekiva River Springs Protection Act” and provides statements of legislative intent; directs local governments within the Wekiva River Springs Protection Area to amend their comprehensive plans to include “land use strategies, development controls, and best management practices to ensure the protection of the Wekiva River springs system”; requires the comprehensive plan for the rural areas of Lake, Orange, and Seminole Counties (Counties) be revised to include a Wekiva Sector Plan prior to the permitting and construction of the “Wekiva Parkway”; provides definitions for effective recharge areas, first-magnitude springs, second-magnitude springs, third-magnitude springs, rural character, and springshed protection area for the purposes of the act; and designates the geographical area to be included in the “Wekiva Springs Protection Area.”

In addition, the bill provides the Wekiva Sector Plan area must include the rural areas within municipalities or the Counties as part of a contiguous sector plan without enclaves; and requires adoption, modification, or rejection by the Administration Commission (Governor and Cabinet) of the recommended boundaries for the Wekiva River Springs Protection Area (Area) and the Wekiva Sector Plan area within 45 days after receipt of the boundaries.

Further, the bill requires comprehensive plans for local governments located in the Area to include land use strategies, development controls, and the best-management practices that protect against incompatible land uses. The plans must also have provisions for nonregulatory programs that include conservation easements, purchase of development rights, and transfer of land use credits or development rights, to reduce development rights and enhance local governments’ ability to achieve the objectives of the act.

Under this bill, comprehensive plans of the affected local governments must have land use strategies and development standards to protect the aquifer and maintain spring flows and best management practices to mitigate land use impacts in the area. Plan amendments necessitated by this bill must be adopted by July 1, 2004 or as part of a plan amendment proposing an increased density or intensity of use within the Wekiva River Springs Protection Area. A local government may not amend its comprehensive plan after July 1, 2004 until it has adopted the amendments required by this act, and is subject to sanctions if the required amendments are not adopted by January 1, 2005. Also, the local government may not amend its comprehensive plan during the time between the bill's effective date and the effective date of the plan amendment adopting the Wekiva Sector Plan that would increase the intensity or density of land uses within the sector plan area or to identify or schedule road improvements within the area other than for the Wekiva Parkway.

The bill requires the Department of Transportation and the Orlando-Orange County Expressway Authority to locate the corridor and interchange for the Wekiva Parkway, and along with the Seminole County Expressway Authority to report joint recommendations on a funding plan that addresses the recommendations of the Wekiva Basin Area Task Force to the Governor and the Legislature; and it also provides the act automatically repeals July 1, 2008 unless the right-of-way purchases for the Wekiva Parkway has been completed.

Finally, this bill directs the St. Johns River Water Management District to review existing rules and statutes to determine if any modifications are necessary for the protection of the Wekiva River Springs Protection Area; requires the state to give the highest priority to the Wekiva-Ocala Greenway Florida Forever Project and use all means at its disposal to complete the project; and provides that state and regional land planning agencies will develop model land development regulations for springshed protection with the support of the Department of Environmental Protection and the St. Johns River Water Management District.

This bill amends section 163.3184 of the Florida Statutes and creates s. 163.3247 of the Florida Statutes.

II. Present Situation:

The Wekiva Basin, consisting of the Wekiva River, the St. Johns River and their tributaries along with associated lands in central Florida, is part of a vast wildlife corridor that connects northwest Orange County with the Ocala National Forest. In recent years, the state has acquired more than 60,000 acres of conservation lands at a cost of \$139 million. These conservation lands provide habitat for the Florida black bear, burrowing owl, sandhill crane, Florida scrub-jay, gopher tortoise, and the limpkin.

The Wekiva River and its tributaries have been designated an Outstanding Florida Water, a National and Scenic River, a Florida Wild and Scenic River, and a Florida Aquatic Preserve. The river is a spring-fed system associated with 19 springs that are connected to the Florida Aquifer. Eleven of these springs are second and third magnitude springs, meaning those springs discharge 10 to 100 cubic feet per second or 1 to 10 cubic feet per second, respectively.

The central Florida region has experienced tremendous growth in the last twenty years resulting in increasing transportation demands and development pressure on lands within the Wekiva Basin. During the period between 1980 and 1990, the growth rate in Lake, Seminole, and Orange Counties exceeded 30 percent. The growth rate for this three-county area is expected to exceed 20 percent through the year 2010. While projected growth for the state between 2010 and 2020 is 13 percent, the growth rate for central Florida is expected to be 17 percent. The desire to balance the transportation needs associated with this projected growth and protection of the Wekiva Basin prompted Governor Bush to create the “Wekiva Basin Area Task Force” on September 26, 2002.^{1 2} The task force was charged with evaluating and making recommendations on the most appropriate location for a highway route connecting State Road 429 to Interstate 4 while providing the greatest protection to the Wekiva Basin. Also, the task force was asked to evaluate and recommend a transportation plan that considers the potential expansion of roads and corridors within the Wekiva Basin to address, among other issues, land acquisition, springshed protection, innovative road design, protection of rural character, protection of habitat, utilization of financial resources, and the adequacy of local governments relating to transportation corridors.³

The task force’s recommendations, as contained in its final report, may be summarized as follows:

- All recommendations should be taken as a whole and integrated into a unified plan of integration;
- Appropriate transportation agencies should use the “Recommended Corridor for the Wekiva Parkway” to undertake the environmental and engineering studies for determining the precise alignment;
- Appropriate transportation agencies should use the “Guiding Principles for the Wekiva Parkway Design Features and Construction” and also apply those principles to the expansion and construction of new expressways;
- Certain design and construction elements for the Wekiva Parkway should be employed so that when completed, the parkway creates a scenic roadway through the basin;
- The Department of Transportation, the Orlando-Orange County Expressway Authority, and the Seminole County Expressway Authority should consider the task force’s recommendations and report to the Governor and Legislature on their joint recommendations for the appropriate entity to operate the Wekiva Parkway;
- The plan for mitigating impacts of the Wekiva Parkway should ensure, to the maximum extent possible, that land acquisition and mitigation occur within the Wekiva River Protection Area, Wekiva River Basin, or Wekiva River Springshed;
- Not more than five interchanges should be located along the Wekiva Parkway and recommends locations;
- Local governments should review their long-range transportation improvement plans in light of the task force’s recommendations;
- Appropriate “Guiding Principles for Designing and Construction” should be applied if there are any improvements to State Road 44 through the Wekiva River Protection Area;

¹ See Executive Order No. 2002-259.

² See Wekiva Basin Area Task Force, *Final Report: Recommendations for Planning and Locating the Wekiva Parkway while Preserving the Wekiva River Basin Ecosystem*, Jan. 15, 2003.

³ See *id.* at 2.

- Establishment of the Wekiva River Springshed Protection Area with certain limitations on comprehensive plan amendments within the area as detailed by the task force;
- Legislation creating the Wekiva River Springshed Protection Act should include specific content requirements for the springshed sector plan as enumerated by the task force;
- Legislation creating the Wekiva River Springshed Protection Area and the related sector planning process should include planning requirements for each potential interchange recommended for the Wekiva Parkway;
- Legislation creating the Wekiva River Springshed Protection Area should result in new permitting criteria to be applied by the St. Johns River Water Management District through its existing permit programs governing the Management and Storage of Surface Waters and Environmental Resource Permits and Consumptive Uses of Water; and
- The State should use all means at its disposal to complete the Wekiva-Ocala Greenway Florida Forever Project and recommends giving the highest priority to specific parcels prior to the construction associated with the Wekiva Parkway.

III. Effect of Proposed Changes:

Section 1 of the bill amends s. 163.3184, F.S. to include in the definition of “in compliance” a cross-reference to the section of Florida Statutes created by section 2 of this bill.

Section 2 of the bill creates the “Wekiva River Springs Protection Act” and provides statements of legislative intent; directs local governments within the Wekiva River Springs Protection Area to amend their comprehensive plans to include “land use strategies, development controls, and best management practices to ensure the protection of the Wekiva River springs system”; and authorizes local governments with first-magnitude, second-magnitude or third magnitude springs, in addition to the planning requirements for the Wekiva River Springs Protection Area, to adopt similar springshed protection strategies applicable to a springshed protection area as delineated in the local government’s comprehensive plan.

This bill also requires the comprehensive plan for the rural areas of Lake, Orange, and Seminole Counties (Counties) be revised to include a Wekiva Sector Plan and the plan with this additional component must be adopted prior to the permitting and construction of the “Wekiva Parkway”; defines effective recharge areas, first-magnitude springs, second-magnitude springs, third-magnitude springs, rural character, and springshed protection area for the purposes of the act; and designates the geographical area to be included in the “Wekiva Springs Protection Area” and requires this area to include those areas of groundwater contribution and recharge to the Wekiva River and its tributaries and springs located in the Counties.

In addition, the bill provides the Wekiva Sector Plan area must include the rural areas within municipalities or the Counties as part of a contiguous sector plan without enclaves; and requires adoption, modification, or rejection by the Administration Commission of the recommended boundaries for the Wekiva River Springs Protection Area and the Wekiva Sector Plan area within 45 days after receipt of the boundaries.

Further, the bill requires comprehensive plans for local governments located in the area include land use strategies, development controls, and best-management practices to ensure their protection from incompatible land uses. These plans must also include a number of other

components such as public education, consideration of develop rights acquisition, cooperative management of public owned lands, economic development and ecotourism, best management practices for agriculture and silviculture, and water supply for existing and new development. In addition, the plans must have provisions for nonregulatory programs that include conservation easements, purchase of development rights, and transfer of land use credits or development rights, to reduce development rights and enhance local governments' ability to achieve the objectives of the act.

Also, the plans are required to have land use strategies and development standards to protect the aquifer and maintain spring flows and best management practices to mitigate land use impacts in the area. Examples of these land use strategies include low-impact land uses near the springs and in high areas of recharge. The bill requires these plan amendments to be adopted by July 1, 2004 or as part of a plan amendment proposing an increased density or intensity of use within the Wekiva River Springs Protection Area. The bill prohibits a local government from amending its comprehensive plan after July 1, 2004 until it has adopted the amendments required by this act, and is subject to sanctions if the required amendments are not adopted by January 1, 2005.

This bill requires the comprehensive plan amendment for the Wekiva Sector Plan Area to be a cooperative effort between the local governments that results in no net loss of recharge potential; provides the local government shall adopt the sector plan as applicable to its planning jurisdiction; and requires adoption of the sector plan as a comprehensive plan that addresses the following: detailed land use plan that does not exceed existing, allowable intensity and density of development now permitted; detailed transportation plan that addresses as applicable the Wekiva Parkway alignment; infrastructure planning; land use strategies, development standards, and best management practices; provision for nonregulatory programs to reduce development rights; design standards for commercial signs that reflect the rural character of the area; interchange land use plans, as applicable, including those recommended for the Wekiva Parkway.

Under this bill, a local government may not amend its comprehensive plan during the time between the bill's effective date and the effective date of the plan amendment adopting the Wekiva Sector Plan to increase the intensity or density of land uses within the sector plan area or to identify or schedule road improvements within the area except for amendments needed for the Wekiva Parkway.

The bill requires the Department of Transportation, Orlando-Orange County Expressway Authority, and the Seminole County Expressway Authority to report joint recommendations on a funding plan that addresses the recommendations of the Wekiva Basin Area Task Force to the Governor and the Legislature; requires the Department of Transportation and Orlando-Orange County Expressway Authority to locate the corridor and interchange for the Wekiva Parkway within a corridor already designated by the Wekiva Basin Area Task Force; and provides the act automatically repeals July 1, 2008 unless the right-of-way purchases for the Wekiva Parkway has been completed.

Finally, this bill provides that the St. Johns River Water Management District is to review existing rules and statutes to determine appropriate modifications necessary for the protection of the Wekiva River Springs Protection Area; requires the state to give the highest priority to the Wekiva-Ocala Greenway Florida Forever Project and use all means at its disposal to complete

the project; encourages efforts to identify and acquire additional lands in the area, including the purchase of easements through the Rural and Family Lands Protection Program; exempts plan amendments from the twice per year limitation in s. 163.3187(1), F.S.; requires the state and regional planning agencies to provide planning assistance to affected local governments; and provides these land planning agencies to develop model land development regulations for springshed protection with the support of the Department of Environmental Protection and the St. Johns River Water Management District.

Section 3 provides the act shall take effect July 1, 2003.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill requires affected local governments to revise their comprehensive plans to include the Wekiva Sector Plan. These local governments will expend funds on preparation of the sector plan and the comprehensive plan amendment incorporating the sector plan and associated public hearings.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Natural Resources:

This amendment rewrites the bill to do the following:

Section 1. Section 163.3184, F.S., is amended to include in the definition of “in compliance” a cross-reference to the section of Florida Statutes created by section 2 of this bill.

Section 2. Section 163.3247, F.S., creates the “Wekiva Preserve and Parkway Act” and provides statements of legislative intent. The Wekiva River is a spring-fed system associated with 19 second-magnitude and third-magnitude springs and at least 8 smaller springs. The Legislature recognizes that a spring is only as healthy as its groundwater recharge basin and that the health of the spring system is directly influenced by activities and land uses within the spring recharge basin.

Protection of groundwater that recharges the springs connected to the Wekiva River is crucial to the long-term viability of the Wekiva River ecosystem and the region’s water supply.

The Water Needs and Sources Assessment indicates that the Wekiva Basin is located in a Priority Water Resource Caution Area, indicating that water supply problems are projected to become critical by 2010 and projected water use may result in unacceptable impacts to natural systems and groundwater quality, including decline in the water table affecting wetland vegetation and reduced spring flows. The St. Johns Water Management District projects a 20-percent reduction in spring flows by the year 2020.

Because the majority of the groundwater recharge basin of the Wekiva River is located outside the Wekiva River Protection Area as delineated in part II of ch. 369, F.S., no special protection currently exists for critical groundwater recharge lands.

The Legislature finds that greater intensities of development facilitated by the construction of major transportation facilities through the Wekiva River Basin and associated springshed areas present serious threats to the continuing existence of the hydrological functions of the springs. It is the intent of the Legislature that regional transportation facilities be located, designed, and constructed in a manner that assures the protection of the Wekiva River Ecosystem, including its vital springshed areas. To accomplish these purposes, the Legislature directs that the completion of transportation improvements, including but not limited to the Wekiva Parkway be accomplished in the context of a well-coordinated plan which simultaneously assures that the natural resources of the Wekiva Basin and springshed are protected against adverse impacts, such as the framework recommended by the Wekiva Basin Area Task Force in its Final Report, dated January 15, 2003.

The Legislature intends that local governments within the Wekiva River Springshed Protection Area amend their comprehensive plans to include land use strategies, development controls, and best-management practices to ensure the protection of the springs system of the Wekiva River and its tributaries consistent with recommendations of the Wekiva Basin Area Task Force in its Final Report dated January 15, 2003. Further, local governments shall amend their comprehensive plans to include a Wekiva Sector Plan designed to protect the springshed and rural character of the Sector Planning Area. Sector planning is to be a cooperative, coordinated

effort including counties and municipalities. Best management practices adopted by local governments must be consistent with those included in *“Florida Springs: Land Use Strategies and Best Management Practices,”* dated December 2002. Any agricultural best-management practices included in a local government comprehensive plan shall be developed and adopted by the Department of Agriculture and Consumer Services.

The bill defines “significant recharge areas,” “first-magnitude springs,” “second-magnitude springs,” “third-magnitude springs,” “rural character,” “springshed protection area,” and “Wekiva Parkway” for the purposes of the act; and designates the geographical area to be included in the “Wekiva Springshed Protection Area”. This area includes portions of Lake, Orange, and Seminole Counties, and all or portions of the municipalities in those counties, within the areas groundwater contribution and recharge to the Wekiva River and its tributaries and springs in addition to any other areas that contain special features such as sinks, depressions, stream-to-sink features, and areas of aquifer vulnerability surrounding the springs.

In addition, the bill provides the Wekiva Sector Plan area must include the rural areas within municipalities or the counties as part of a contiguous sector plan without enclaves; and requires adoption, modification, or rejection by the Administration Commission (Governor and Cabinet) of the recommended boundaries for the Wekiva River Springshed Protection Area and the Wekiva Sector Plan area within 45 days after receipt of the boundaries.

Further, the bill requires comprehensive plans for local governments located in the area include land use strategies, development controls, and best-management practices to ensure their protection from incompatible land uses. These plans must also include a number of other components such as public education, consideration of develop rights acquisition, cooperative management of public owned lands, economic development and ecotourism, best-management practices for agriculture and silviculture, and water supply for existing and new development. In addition, the plans must have provisions for nonregulatory programs that include conservation easements, purchase of development rights, and transfer of land use credits or development rights, to reduce development rights and enhance local governments’ ability to achieve the objectives of the act.

Also, the plans are required to have land use strategies and development standards to protect the aquifer and maintain spring flows and best management practices to mitigate land use impacts in the area. Examples of these land use strategies include low-impact land uses near the springs and in high areas of recharge. The bill requires these plan amendments to be adopted by July 1, 2004 or as part of a plan amendment proposing an increased density or intensity of use within the Wekiva River Springshed Protection Area. The bill prohibits a local government from amending its comprehensive plan after July 1, 2004 until it has adopted the amendments required by this act, and is subject to sanctions if the required amendments are not adopted by January 1, 2005.

This bill requires the comprehensive plan amendment for the Wekiva Sector Plan Area to be a cooperative effort between the local governments that results in no net loss of recharge potential. The local government shall adopt the sector plan as applicable to its planning jurisdiction. The adoption of the sector plan is required to addresses the following:

- Detailed land use plan that does not exceed existing, allowable intensity and density of development now permitted;
- Detailed transportation plan that addresses as applicable the Wekiva Parkway alignment; infrastructure planning; land use strategies, development standards, and best-management practices;
- Provision for nonregulatory programs to reduce development rights;
- Design standards for commercial signs that reflect the rural character of the area; and
- Interchange land use plans, as applicable, including those recommended for the Wekiva Parkway.

Under this bill, a local government may not amend its comprehensive plan during the time between the bill's effective date (July 1, 2003) and the effective date of the plan amendment adopting the Wekiva Sector Plan to increase the intensity or density of land uses within the sector plan area or to identify or schedule road improvements within the area except for amendments needed for the Wekiva Parkway.

The bill requires the Department of Transportation, in collaboration with the Turnpike Enterprise, the Orlando-Orange County Expressway Authority, and the Seminole County Expressway Authority to report joint recommendations on a funding plan that addresses the recommendations of the Wekiva Basin Area Task Force to the Governor and the Legislature. The Orlando-Orange County Expressway Authority, the Seminole County Expressway Authority, Department of Transportation, the Turnpike Enterprise are required to locate the corridor and interchange for the Wekiva Parkway within a corridor already designated by the Wekiva Basin Area Task Force. The act automatically repeals July 1, 2008 unless the right-of-way purchases for the Wekiva Parkway have been commenced.

The specific design features included within Recommendations Nos. 3, 4, 6, and 7 of the Wekiva Basin Area Task Force Report shall be incorporated within the design of the Wekiva Parkway and other additional or expanded regional or local roadways, or the expansion of any highway which extends into or across the Wekiva River Basin or Springshed. Such features, to the maximum extent feasible, shall include, but not be limited to:

- Elevated bridging of identified wildlife corridors;
- A parkway design with appropriate natural buffers between the roadways and adjacent areas;
- Fulfillment of mitigation needs by supporting land acquisition projects only within the Wekiva River Protection Area, Wekiva River Basin or Wekiva Springshed; and
- Limitations on the number and location of permissible interchanges.

Road-building agencies, authorities and enterprises created under ch. 334, 338, and 348, F.S., including, but not limited to, the Department of Transportation, the Turnpike Enterprise, the Orlando-Orange County Expressway Authority, and the Seminole County Expressway Authority, shall collaborate to develop a joint plan for the construction of the Wekiva Parkway which simultaneously achieves the necessary environmental improvements necessary to offset any negative impacts that roadway construction could cause to the Wekiva ecosystem and associated springshed area. Construction of an extension of State Road 429 or any other limited-

access road within the Wekiva basin or springshed shall incorporate within the project design any necessary elements required to facilitate the protection of the environment as recommended by the Wekiva Basin Area Task Force.

No authority created under ch. 334, 338, and 348, F.S., or the Department of Transportation shall have the power to construct an expressway or any highway or limited access facility within the Wekiva River Springshed Protection Area, Wekiva Sector Plan Area or Wekiva River Protection Area until the Wekiva River Springshed Protection Area comprehensive plan requirements and the Wekiva Sector Plan components are adopted.

Plan amendments related to the implementation of the Wekiva Parkway and plan amendments required by this section are exempt from the twice-per-year limit on the adoption of plan amendments as provided in s. 163.3187(1), F.S.

The state planning agency and appropriate state and regional agencies shall provide planning assistance to the affected local governments in the development of comprehensive plan amendments. The state land planning agencies, with the support of the Department of Environmental Protection and the St. Johns Water Management District, shall develop model land development regulations for springshed protection.

The Department of Agriculture and Consumer Services shall assist local governments in implementing this section and local governments shall consult with the Department of Agriculture and Consumer Services to determine if agricultural best-management practices should be included in the comprehensive plan. Following consultation with a local government, any agricultural best-management practices to be included in a comprehensive plan amendment shall be developed and adopted by the Department of Agriculture and Consumer Services.

Section 3. Section 373.4155, F.S., is created to provide for additional duties for the St. Johns River Water Management District. Within 90 days of the adoption of a final boundary of the Wekiva River Springshed Protection Act by the Administration Commission, the St. Johns River Water Management District shall publish notice of proposed rule amendments to implement the provisions proposed in Recommendation 15 of the Wekiva River Basin Task Force. The proposed rule amendments may be developed so as to provide additional criteria to be applied to new St. Johns River Water Management District Permits for Consumptive Use, Management and Storage of Surface Waters, and Environmental Resource Permits within the Wekiva River Springshed Protection Area and renewals of current permits.

Section 4. Section 381.0069, F.S., is created to provide that within 3 years of the adoption of a final boundary of the Wekiva River Springshed Protection Area by the Administration Commission, the Department of Health, with assistance from the St. Johns River Water Management District and the Department of Environmental Protection, shall develop a program to encourage and provide incentives for the inspection and maintenance of on-site treatment and disposal systems and for the installation of enhanced on-site treatment and disposal systems within the Wekiva River Springshed Protection Area.

Section 5. Section 373.139, F.S., is amended to encourage the St. Johns River Water Management District to pursue purchase of development rights in the Wekiva River Protection Area and Wekiva River Springshed Protection Area. The objectives shall be to:

- Include areas of contribution that are sensitive to environmental contamination such as areas of significant recharge, sinkholes, depressions and stream-to-sink features; and
- Help maintain the rural character of the lands within the Wekiva Sector Plan area through a reduction of developable unit density.

Section 6. Section 369.307, F.S., is amended to encourage agencies to use all means at their disposal for completing the acquisition of land necessary for the Wekiva-Ocala Greenway Florida Forever Project. Efforts should be made to identify and acquire additional lands in the Wekiva River Springshed Protection Area, Wekiva Sector Plan Area, and the Wekiva River Protection Area, including efforts to protect agricultural and environmentally sensitive lands through the purchase of easements as provided in the Rural and Family Lands Protection Program. Binding purchase agreements should be pursued for the acquisition of properties identified in Recommendation 16 of the Wekiva Basin Area Task Force Final Report to the greatest extent practicable, prior to the commencement of construction of the Wekiva Parkway or any other limited-access road within the Wekiva River Springshed Protection Area, Wekiva Sector Plan Area, or Wekiva River Protection Area.

Section 7. This act takes effect July 1, 2003. (WITH TITLE AMENDMENT)