

By Senator Smith

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1 A bill to be entitled
2 An act relating to a special assessment for law
3 enforcement services; creating s. 166.212, F.S.;
4 authorizing a municipality to impose a special
5 assessment to fund the costs of providing law
6 enforcement services; making the imposition of the
7 assessment contingent upon adoption of an ordinance
8 approved by the governing body of a municipality and a
9 reduction in the municipality's ad valorem millage;
10 limiting the maximum millage reduction required;
11 specifying the rolled-back rate for the calculation of
12 a future increase in ad valorem millage; providing an
13 effective date.

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

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17 Section 1. Section 166.212, Florida Statutes, is created to
18 read:

19 166.212 Special assessment for law enforcement services.-

20 (1) GENERAL.-A municipality may impose a special assessment
21 to fund a portion or all of its costs of providing law
22 enforcement services if the governing body of the municipality:

23 (a) Adopts an ordinance imposing the special assessment
24 which apportions the cost of law enforcement services among the
25 parcels of real property in the municipality in reasonable
26 proportion to the benefit received by each parcel; and

27 (b) Reduces its ad valorem millage as provided in this
28 section.

29 (2) APPORTIONMENT METHODOLOGY.-The methodology used to

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30 determine the benefit that a parcel of property derives from law
31 enforcement services may be based on all of the following:

32 (a) The size, in square feet, of structures on the parcel.

33 (b) The location of the parcel.

34 (c) The use of the parcel.

35 (d) The projected amount of time that the municipal law
36 enforcement agency will spend protecting the property, grouped
37 by neighborhood, zone, or category of use. This may include the
38 projected amount of time that will be spent responding to calls
39 for law enforcement services and the projected amount of time
40 law enforcement officers will spend on patrols or regulating
41 traffic on the streets that provide access to the property.

42 (e) The value of the real property that is served or
43 protected, including the value of each structure on the property
44 and its contents. However, this factor may not be used as the
45 sole or a major factor in determining the benefit of law
46 enforcement services to a parcel of property.

47 (f) Any other factor that may reasonably be used to
48 determine the benefit of law enforcement services to a parcel of
49 property.

50 (3) REDUCTION IN AD VALOREM MILLAGE.-

51 (a) For the fiscal year in which a municipality implements
52 the special assessment, the municipality must reduce its ad
53 valorem millage by the millage that would be required to collect
54 revenue equal to revenue that is forecast to be collected from
55 the special assessment.

56 (b) Notwithstanding paragraph (a), a municipality is not
57 required to reduce its millage, excluding millage approved by a
58 vote of the electors and millage pledged to repay bonds, by more

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59 than 75 percent.

60 (c) Notwithstanding paragraph (a), a municipality is not
61 required to reduce its millage, excluding millage approved by a
62 vote of the electors and millage pledged to repay bonds, by more
63 than 50 percent if the resolution imposing the special
64 assessment is approved by a two-thirds vote of the governing
65 body of the municipality.

66 (4) FUTURE AD VALOREM MILLAGE INCREASES.—For purposes of s.
67 200.065, the rolled-back rate for the fiscal year immediately
68 after the year in which a municipality implements the special
69 assessment is the millage imposed for the year that the special
70 assessment is implemented, adjusted for the change in per capita
71 personal income.

72 Section 2. This act shall take effect upon becoming a law.