

SECTION 1

LOCAL BILLS NOT RELATED TO ANNEXATION

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A local bill is any bill which relates to a specific geographical area (Broward County) as opposed to a general bill which affects the entire State of Florida. The deadline for submitting local bills to the Broward Legislative Delegation will be **noon on Friday, September 29, 2023.**

Below are detailed instructions for filing a local bill with the Broward Legislative Delegation. ***This section only pertains to local bills not related to annexation***; i.e., special districts, revisions to current law affecting Broward County, etc.

When submitting your proposed local bill to the Broward Legislative Delegation Office for consideration, the following documentation must be included in this order:

1. Cover letter explaining: (see pg.1-5)
 - Why this cannot be accomplished at the local level.
(If the substance of your bill may be enacted into law by ordinance of a local government without the legal need for a referendum, the bill does not meet the standard for a local bill)
 - A brief explanation of your local bill.
 - Provide background information has legislation been previously filed regarding this subject; if so, when and what was the bill number.
 - The name of the contact person from your organization with their address, telephone number, fax number and an e-mail address. (***All correspondence from the Delegation Office regarding your local bill will be forwarded to the contact person you designate.***)
 - Indicate the name of the member that will sponsor your request before the local delegation.
2. The draft of your proposed local bill in proper bill form. (This will be explained below.) (see pg. 1-7)
3. An Economic Impact Statement signed by a representative of your organization or agency. It is required that at least one Economic Impact Statement has an **original signature**. (see pg. 1-9)

You will need to provide one original and an electronic version of the above information. If any of this information is missing, your local bill will not be considered timely filed. A sample of this complete package is included in this manual on page beginning on 1-5 for your reference.

In addition, we will require that you e-mail your bill draft and supporting documents to the Delegation Office. Please e-mail the information to aknowles@broward.org.

PROPER BILL FORM

All proposed local bills filed with the Delegation Office need to be in proper bill form (see sample, page 1-7). All bill drafts should be dated as of the date submitted to the Delegation Office in the upper right corner of the bill. Amended bill drafts should contain the full section, subsection, or paragraph to be amended with amendments underlined or deletions stricken. All requested amendments should be e-mailed to aknowles@broward.org.

ONE SUBJECT

Section 6 of Article III of the Florida Constitution provides that:

“Every law shall embrace but ONE subject and matter properly connected therewith...”

The subject to be considered is the one expressed in the title of the Act, and the “ONE subject” may be quite broad. So long as the bill embraces a simple subject, it may amend any number of sections or even different chapters.

TITLES

Section 6 of Article III of the Florida Constitution provides that:

“Every law shall embrace but one subject and matter properly connected therewith, and the subject shall be briefly expressed in the title.”

The title is the portion of the bill which serves the purpose of expressing the subject of the bill and is essential to the validity of the law to be enacted.

It should briefly express the subject of the proposed legislation so that the mere reading of it will indicate the nature of the details which are embodied in the act. A general title is preferable, but the title must give notice sufficient to reasonably explain the contents of the bill.

ENACTING CLAUSE

Section 6 of Article III of the Florida Constitution provides in part:

“The enacting clause of every law shall read: ‘Be it enacted by the Legislature of the State of Florida:’.”

The prescribed enacting clause is a prime essential to the validity of the law. In typing a bill, legislative rules require: A blank line be left above and below the enacting clause.

AMENDING PRESENT LAW

Section 6 of Article III of the Florida Constitution provides in part:

“Laws to revise or amend shall set out in full the revised or amended act, section, subsection, or paragraph of a subsection.”

This requirement applies only to amendatory acts, not to bills which seek to establish new programs or additional provisions without reference to the present law. When an amendment is made to existing text, the entire text of the portion being amended must be set forth. If the amendment is to a paragraph or subsection that does not make sense standing alone, the remainder of the subsection or section should be set forth in the bill. In addition, introductory language which preceded a group of subsections or paragraphs should be shown whenever any of the subsections or paragraphs which follow is amended. Amendment of the introductory material itself nearly always requires that the following subsections be set forth, even though none of them are being amended. If the amendatory enactment is not a complete, coherent and intelligible act, or if it necessitates separate research and analysis of the local act which is being amended in order to be understood, it does not meet the requirement of Section 6 of Article III.

EFFECTIVE DATE

Section 9 of Article III of the Florida Constitution provides that:

“Each law shall take effect on the sixtieth day after adjournment sine die of the session of the legislature in which enacted or as otherwise provided therein. If the law is passed over the veto of the governor it shall take effect on the sixtieth day after adjournment sine die of the session in which the veto is overridden, on a later date fixed in the law, or on a date fixed by a resolution passed by both houses of the legislature.”

Although an effective date section is not necessary to a properly prepared bill, it has become customary over the years to include an effective date in almost every bill. (see pg. 1-9)

ECONOMIC IMPACT STATEMENT

The Economic Impact Statement form will be provided by the Delegation. A sample is provided in this manual on page 1-9.

This form states the financial impact resulting from the legislation. It is required that one form with an original signature be included with your local bill request along with 22 copies.

CHECKLIST LOCAL BILLS NOT RELATED TO ANNEXATION

___ COVER LETTER TO DELEGATION OFFICE

Make sure the letter includes:

- Brief description of the bill
- Statement why legislation cannot be accomplished at the local level
- Name of Delegation member sponsoring the bill
- Name, address and telephone number of contact person

NOTE: If this local bill was previously filed with the legislature, please include the year the bill was filed and the bill number in your cover letter.

___ BILL DRAFT (Word version should be emailed.)

Make sure that the date is in the upper right-hand corner.

___ ECONOMIC IMPACT STATEMENT

Make sure that there is one form with an original signature. The form can be found on the Florida House site.

___ 1 ORIGINAL OF THE ABOVE INFORMATION

___ CONFIRMATION LETTER FROM SPONSOR

**Email packet and copies of supporting documents to
aknowles@broward.org**

**SAMPLE
LOCAL BILL**



701 Southwest 71st Avenue, North Lauderdale, Florida 33068-2395
954-722-0900 • Fax 954-720-2151 • www.nlauderdale.org

MAYOR
Jack Brady

COMMISSIONER
Gary Frankel

COMMISSIONER
Jerry Graziose

CITY ATTORNEY
Samuel S. Goren

VICE MAYOR
David G. Hilton

COMMISSIONER
Rich Moyle

CITY MANAGER
Ambreen Bhatti

CITY CLERK
Patricia Vancheri

Sandy Harris
Executive Director
Broward County Legislative Delegation
115 South Andrews Avenue, Room 429
Fort Lauderdale, FL 33301

October 31, 2012

RE: Local Bill to authorize special assessments to fund municipal law enforcement services.

Dear Ms. Harris:

The City of North Lauderdale is requesting a special act that would legislatively authorize alternative funding for the significant and growing expense of law enforcement services. The City of North Lauderdale is concerned that without the ability to fund law enforcement services through an alternative funding source, the growing cost of this service will result in an inability to provide other critical municipal services in the near future. The City's operating millage for the 2012-2013 Fiscal Year is 7.6078 mills. Currently, the City's law enforcement services costs are roughly equivalent to 121% of the ad valorem tax revenues received by the City, and approximately 37 % of the total general fund revenues received by the City. Every other municipal function must be funded through other sources in the general fund. Unless action is taken to provide for alternative funding, the City may reach the 10 mill statutory cap within a few years and may not be able to continue providing other basic municipal services. Implementation of this bill will allow for the reduction of ad valorem millage to property owners, thus providing for greater balance in the way municipal services are financed.

The City of North Lauderdale is proposing a local bill that would authorize a special assessment to be levied by municipalities in Broward County, separate from the annual millage levy, which would provide a consistent and distinct funding mechanism for law enforcement services. Florida's Constitution, specifically Article VII, Section 9(a), does not authorize local governments to levy taxes or fees without legislative authority. General law, Chapter 170, Florida Statutes, does not specifically provide that law enforcement services may be funded through a special assessment; therefore, a special act

of the legislature is necessary to provide that law enforcement services may be the subject of a special assessment.

The City's proposed local bill is being sponsored by State Senator Chris Smith. Should you have any questions or require additional information, please contact City Manager Ambreen Bhatti, by mail at 701 SW 71st Avenue, North Lauderdale, Florida, 33068; by telephone at 954-724-7037; by facsimile at 954-720-2151; and, by email at abhatty@nlauderdale.org. You may also contact David Ericks by mail at 1815 Cordova Rd. Ste. 203, Fort Lauderdale, FL 33316; by telephone at 954-765-1207; and email by candice@ericksconsultants.com.

Legislative History of Proposed Bill

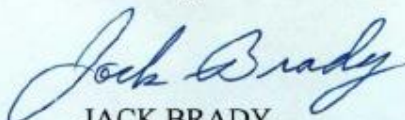
2012 Legislative Session HB 1159 died in Community & Military Affairs Subcommittee on Friday, March 09, 2012 11:59 PM

2011 Legislative Session HB 859 died in the Community & Military Affairs Subcommittee on Saturday, May 07, 2011 2:07 AM

2010 Legislative Session HB 1123 died in the Military & Local Affairs Policy Committee on Friday, April 30, 2010 6:59 PM

Enclosed please find the initial draft local bill and economic impact statement. Thank you for your assistance in this matter.

Sincerely,


JACK BRADY
Mayor

CC: Members of the City Commission
City Manager Ambreen Bhatti
Finance Director Steven Chapman
City Attorney Samuel S. Goren

A bill to be entitled

An act relating to Broward County; authorizing municipalities in Broward County to levy special assessments to fund law enforcement services; providing legislative findings of special benefit to real property justifying the special assessment for law enforcement services; providing for a reduction in ad valorem taxes when a law enforcement special assessment is levied pursuant to this act; providing an effective date.

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

Section 1. Legislative Findings. Broward County is the second most populous county in the state with 31 municipalities within the county and little unincorporated area within the developed portion of the county. Law enforcement is a vital municipal service as it protects both persons and property from crime. In urban areas such as Broward County, property crimes, including burglary, vandalism, trespassing, arson, and others have a dramatic impact on property owners and the value of real property. Law enforcement services work to prevent these significant property crimes, and thus prevent the loss of property values and use. Moreover, after a property crime occurs, law enforcement efforts to solve such crimes prevents additional property crimes from occurring in the community. Finally, law enforcement provides protection for unoccupied properties and prevents additional losses to property owners, especially in times of economic distress. As a result, the legislature finds that there is a logical relationship between law enforcement services attributable to the protection of real property and the prevention of real property crimes and the benefit to real property.

Section 2. A municipality in Broward County may fund the costs of law enforcement services, in whole or in part, through the levy of a law enforcement services special assessment provided that the governing body of the municipality:

(a) Adopts a law enforcement services assessment ordinance that authorizes the special assessment, and requires that it be levied by resolution each year, and which apportions such assessable costs

among the property based on a methodology that charges a parcel in reasonable proportion to its benefits; and

(b) In the initial year of implementation, reduces its total ad valorem tax revenue, as projected for the upcoming fiscal year and calculated as if there were no law enforcement services assessment, by an amount equal to the amount of the law enforcement services assessment, except that no municipality shall be required to reduce its millage rate, excluding millage approved by a vote of the electors and millage pledged to repay bonds, by more than 75% (seventy-five percent), thereafter said assessment shall be increased only in the same manner as ad valorem revenue is permitted to be increased pursuant to s. 200.065(5), F.S. The initial reduction in millage rate, excluding millage approved by a vote of the electors and millage pledged to repay bonds, shall be limited to no more than 50% if the implementing resolution is adopted by a extraordinary majority vote of the governing body.

(c) The Department of Revenue is hereby authorized to promulgate any rules or forms necessary to implement this section.

Section 3. This act shall take effect upon becoming a law.

**HOUSE OF REPRESENTATIVES
2013 ECONOMIC IMPACT STATEMENT FORM**

House local bill policy requires that economic impact statements for local bills be prepared at the LOCAL LEVEL. It is the policy of the House of Representatives that no bill will be considered by a council or a committee without an original Economic Impact Statement. This form must be completed whether or not there is an economic impact. Please submit this form to the Committee on Urban & Local Affairs as soon as possible after the bill is filed.

BILL #: _____
SPONSOR(S): State Senator Smith
RELATING TO: Broward County - Law Enforcement Assessment
[Indicate Area Affected (City, County or Special District) and Subject]

I. ESTIMATED COST OF ADMINISTRATION, IMPLEMENTATION, AND ENFORCEMENT:

Expenditures:	<u>FY 13-14</u> 0.00	<u>FY14-15</u> 0.00
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This assessment will be administered through the process already in existence; no additional costs for administration are anticipated. The cost for a methodology study that will quantify the legally allowable assessment will be borne by each local government. A study of this nature is anticipated to cost each local government approximately \$25,000.

II. ANTICIPATED SOURCE(S) OF FUNDING:

	<u>FY 13-14</u>	<u>FY14-15</u>
Federal:		
State:		
Local:	This assessment will be used to offset ad valorem revenue on the local level.	

III. ANTICIPATED NEW, INCREASED, OR DECREASED REVENUES:

Revenues:	<u>FY 13-14</u> 0.00	<u>FY14-15</u> 0.00
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In the first year of the assessment projected to be FY 14-15, the change in revenue is anticipated to be neutral between the increase in the law enforcement assessment and required decrease in millage within certain limits as provided for in the legislation.

IV. ESTIMATED ECONOMIC IMPACT ON INDIVIDUALS, BUSINESS, OR GOVERNMENTS:

The Law Enforcement Assessment will allocate cost for law enforcement services proportionally among ALL users of the service.

Adds to transparency and accountability of tax dollars since it will be a separate line item on the TRIM notice. Taxpayers will clearly understand what services are being provided and at what cost.

This assessment will require local governments to reduce millage between 50% to 75%.

Will require a local government to complete a methodology study at its cost to ensure that the assessment provides for a benefit to property owners.

Some residential property owners may see a small net decrease; some may see a small net increase in their overall tax bill depending on whether their property has a relatively high taxable value or a relatively low taxable value.

Commercial property owners should benefit from the lower millage since their properties generally carry a higher taxable value relative to residential property.

This assessment is anticipated to give a dollar for dollar reduction through millage to property owners on a citywide basis assuming the assessment revenue is not greater than 75% of the millage.

V. ESTIMATED IMPACT UPON COMPETITION AND THE OPEN MARKET FOR EMPLOYMENT:

It is anticipated that this legislation will have a positive impact of employment if the millage reduction is greater than the assessment on a case by case basis. Businesses would have additional money to hire employees and invest in capital through the reduction of ad valorem tax on their property.

VI. DATA AND METHOD USED IN MAKING ESTIMATES [INCLUDE SOURCE(S) OF DATA]:

Estimates are based on actual data from the City of North Lauderdale.

PREPARED BY: 

[Must be signed by Preparer]

12-30-12
Date

TITLE: Director of Finance

REPRESENTING: City of North Lauderdale

PHONE: 954-724-7036

E-Mail Address: schapman@nlauderdale.org