

SECTION 2

LOCAL BILLS RELATED TO ANNEXATION

LOCAL BILLS RELATED TO ANNEXATION

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, December 6, 2024.**

Below are detailed instructions for filing a local bill with the Broward Legislative Delegation. ***This section only pertains to local bills related to annexation.***

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. 2-8)
 - Why this cannot be accomplished at the local level.
(if the substance of your bill may be enacted into law by ordinance of local government without the 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 area; when and what was the bill number; what is the total acreage of the area, the population, households, describe the commercial areas and any other meaningful characteristics.
 - Will services change for the parties being annexed?
 - The name of the contact person from your organization with their address, telephone number, fax number and an email 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 format. (This will be explained below) (see pg. 2-9)
3. A certified map drawn by a Florida certified land surveyor or engineer with raised seal. Said person shall be responsible for ensuring that the full legal description and the certified map are the same. (Please see more information regarding the legal description below.) (see pg. 2-13)
4. Map showing the area being considered for annexation or incorporation including the surrounding area. (sample on page 2-14) This map should clearly delineate municipal boundaries and major roadways.
5. An Economic Impact Statement signed by a representative of your organization or agency. It is required that at least one Economic Impact Statement have an original signature. (sample on page 2-15)

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 has been included for your review on pages 2-8 to 2-16.

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

PROPER BILL FORM

All proposed local bills filed with the Delegation Office need to be in proper bill form (see sample, page 2-8). 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 rmayersohn@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. It is recommended that the “ONE subject” 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.

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. THIS IS THE EFFECTIVE DATE OF THE LEGISLATION – NOT THE EFFECTIVE DATE OF THE ANNEXATION. (see pg. 2-11)

PLEASE NOTE: There should be a provision within each local bill that the annexation shall become effective on September 15, of a year certain and no referendum on annexation may be held within 180 days of the September 15 effective date.

ROAD TRANSFER LANGUAGE

The following section is required in every bill concerning annexation:

“Section _____. All public roads and the public rights of way associated therewith, on the Broward County road system, lying within the limits of the lands subject to annexation herein, as described in section ___, are transferred from Broward County jurisdiction to the jurisdiction of the annexing municipality, (if applicable) except for those portions of ____ (insert the road name/number of any County road(s) and/or bridge name/number of any County bridge), lying within the annexation area. All rights, title, interests and responsibilities for any transferred roads, including but not limited to, the ownership, operation, maintenance, planning, design and construction of said roads and to the right of way associated therewith shall transfer from Broward County jurisdiction and ownership to the jurisdiction and ownership of the annexing municipality upon the effective date of the annexation.”

NOTE: Please check with the Broward County Engineering Division regarding any and all possible road, bridge or right-of-way transfers prior to submitting your annexation local bill to the Delegation Office.

CANDIDACY LANGUAGE

The following section is required in every bill concerning annexation where residents of the newly annexed area may be otherwise precluded from running for elected office for the next immediate election:

“Section ____ Subsequent to the effective date of this annexation, any resident in the area to be annexed by this act into the City of _____, shall be deemed to have met any residency requirements for candidacy for municipal office.”

CONTRACT LANGUAGE

The following section is required in every bill concerning annexation:

“Section ____ Nothing in this chapter shall be construed to affect or abrogate the rights of parties to any contract, whether the same be between Broward County and a third party or between nongovernmental entities, which contracts are in effect prior to _____ the effective date of the annexation.”

LEGAL DESCRIPTION AND CERTIFIED MAP

A full legal description of the properties being annexed or deannexed. (Please forward this by e-mail to Andrea Knowles at rmayersohn@broward.org in a Microsoft Word format.)

IMPORTANT NOTE: Annexing municipalities should contact the following department with regard to legal descriptions and road transfer language to be used in any request for annexation:

Broward County Engineering Division
Brad Terrier at 954-577-4557 or BTerrier@broward.org
One North University Drive
Plantation, Florida 33324-2038

A certified map drawn by a Florida land surveyor or engineer with raised seal is required. Said surveyor or engineer shall be responsible for ensuring that the full legal description and the certified map are the same.

AREA MAP

A map showing the location of the property as it relates to the surrounding area. Please include municipal boundaries and major roads so that it is obvious where the property is located, the adjacent municipal boundaries and major roadways. (see pg. 2-13 for example)

ECONOMIC IMPACT STATEMENT

The Economic Impact Statement form will be provided by the Delegation upon request. A sample is provided in this manual on pg 2-15. 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 an electronic version.

ADDITIONAL INFORMATION AND REQUIREMENTS

No local bill for annexation/deannexation shall be approved without two readings by the Legislative Delegation. The first reading is traditionally a formal reading and no testimony will be required. The second reading will involve the presentation by the bill sponsor, questions from the Delegation and a vote by the Delegation. Representatives of your organization are required to attend these meetings.

EMPLOYEE TRANSITION PLAN

The Legislative Delegation Annexation Policy requires that an employee transition plan accompany each annexation/deannexation request. Subsequent to the filing of a proposed local annexation bill, the Delegation staff will request and distribute the following information:

- 1) A report from Broward County on employee displacement three weeks following the filing of a local bill concerning annexation, which report shall be forwarded to the annexing city(ies).
- 2) A report from the Sheriff's Office on public safety employee displacement three weeks following the filing of a local bill concerning annexation, which report shall be forwarded to the annexing city(ies).
- 3) Plans from the annexing city(ies) concerning employee displacement and plans for law enforcement and fire rescue services filed with the Delegation within three weeks following receipt of reports on employee displacement from the county and the sheriff, with consideration for contractual services with Broward County and the sheriff, respectively.

Information on employee displacement will be requested by the Delegation Staff from the following:

Broward County Government
Office of Management and Budget
Assistant Director, Jennifer
Steelman
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
954-357-6226
jsteelman@broward.org

Broward Sheriff's Office
Colonel Oscar Llerena
2601 West Broward Boulevard
Fort Lauderdale, Florida 33312
954-321-4647
Oscar.Llerena@sheriff.org

PLEASE NOTE: Chapter 96-542 and Chapter 99-447, Laws of Florida, control annexations in Broward County. Copies are provided in this Manual on pages 4-4 and 4-5.

Notification to Property Owners:

The entity requesting the local bill is required to notify property owners by first class mailing of any Annexation Committee meeting and of the Delegation Final Hearing on Local Bills Related to Annexation. (See Pg 2-17 & 2-18)

The notifications must be mailed no more than 14 days and no less than 7 days prior to the initial meeting/hearing. The following information must be contained in your letter of notification to property owner:

- a. Your intentions with regard to the owner's property;
- b. Notice of date, time and place of the annexation committee meeting or public hearing where your annexation request will be voted on;
- c. Contact person at your agency who can respond to any questions the property owner may have;
- d. Instructions to call the Delegation office (telephone 954-357-6555) if the property owner wishes to speak before the Delegation at the public hearing or advise the property owner to sign up on the internet www.broward.org/legislative.

CHECKLIST LOCAL BILLS 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
- Description of how services will change for annexed area
- Background information as suggested in instructions
- 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

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

___ CERTIFIED MAP AND LEGAL DESCRIPTION

___ MAP SHOWING SURROUNDING AREA

Make sure that this map includes any contiguous municipalities and major cross roads.

___ ECONOMIC IMPACT STATEMENT

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

___ 1 ORIGINAL OF THE ABOVE INFORMATIO.

___ CONFIRMATION LETTER FROM SPONSOR

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

**SAMPLE
ANNEXATION
LOCAL
BILL**



City of Dania Beach FLORIDA

November 29, 2011

The Honorable Representative Evan Jenne, Chair
Broward County Legislative Delegation
3107 Stirling Road, Suite 207
Fort Lauderdale, FL 33312-8502

Subject: City of Dania Beach Expansion of Boundaries

Dear Representative Jenne

At the November 10, 2011 meeting of the Broward County Legislative Delegation the local bill extending the corporate limits of the City of Dania Beach to the jurisdictional boundaries of the State of Florida, a line in the Atlantic Ocean known as the three mile limit was tabled to allow time for the City to coordinate with the City of Hollywood. At issue are two parcels of land that are owned by the City of Hollywood and which lie in the immediate area of the proposed expansion.

The City of Dania Beach has coordinated with the City of Hollywood and instructed Dania Beach's consulting surveyor to work with Hollywood's surveyor to clarify the location of the parcels. Both firms have agreed that the parcels in question are owned by the City of Hollywood but are located within the jurisdictional boundaries of Dania Beach pursuant to the laws of Florida. The proposed boundary expansion would not include any lands owned by the City of Hollywood.

The contact person from the City of Dania Beach is Robert Daniels, Community Development Director. He can be reached at 954 924 6800 Extension 3640, or via e-mail at bdaniels@ci.dania-beach.fl.us.

Thank you for your assistance.

Sincerely,

Robert Baldwin
City Manager

cc: The Honorable Senator Eleanor Sobel
The Honorable Representative Elaine Schwartz
Sandy Harris
Cathy Swanson-Rivenbark

"Broward's First City"

100 West Dania Beach Boulevard, Dania Beach, Florida 33004 • Phone: 954-924-6800 • www.daniabeachfl.gov

F L O R I D A H O U S E O F R E P R E S E N T A T I V E S

BILL

ORIGINAL

YEAR

1 A bill to be entitled
2 An act relating to City of Dania Beach, Broward
3 County; extending the corporate limits of the City of
4 Dania Beach to include the area that extends 3 miles
5 into the Atlantic Ocean from the city's existing
6 shoreline; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:
9

10 Section 1. The present corporate limits of the City of
11 Dania Beach, Broward County, Florida, are extended and enlarged
12 effective September 15, 2012, so as to include, in addition to
13 the territory presently within its corporate limits, the area
14 that extends 3 miles into the Atlantic Ocean from the city's
15 existing shoreline, particularly described as follows:

16
17 A portion of the Atlantic Ocean lying between the mean
18 (ordinary) low water mark and the three mile limit and
19 adjoining that portion of the Corporate Limits of the
20 City of Dania Beach lying in Section 36, Township 50
21 South, Range 42 East, Broward County, Florida and
22 being more particularly described as follows:

23
24 BEGINNING at the intersection of the Easterly
25 projection of the common boundary of Lots 71 and 72 of
26 Block 172, HOLLYWOOD CENTRAL BEACH, according to the
27 plat thereof as recorded in Plat Book 4, page 20, of
28 the Public Records of Broward County and the mean

Page 1 of 3

~~billdraft39526w correction.docx~~~~billdraft39526w correction~~~~billdraft39526.docx~~~~billdraft39526~~
CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Formatted: Left: 1", Right: 1",
Endnotes, Header distance from
Footer distance from edge: 0.75
Continuous, Left: (Single solid lin
Line width, Margin: 15 pt Border
Right: (Single solid line, Auto, 0.
Margin: 15 pt Border spacing:)

V

BILL

ORIGINAL

YEAR

29 (ordinary) low water mark of the Atlantic Ocean, said
30 point being on Northerly line of the Corporate Limits
31 of the City of Dania Beach as established by Chapter
32 30689, Acts 1955 of the Laws of Florida the same being
33 the Corporate Limits of the City of Hollywood as
34 established by Chapter 30836 of the Laws of Florida;
35
36 Thence Easterly on said Easterly projection of the
37 common boundary of Lots 71 and 72 of Block 172,
38 HOLLYWOOD CENTRAL BEACH to the intersection with the
39 East boundary line of the State of Florida, also known
40 as the three mile limit;
41
42 Thence Southerly on said East boundary line of the
43 State of Florida, also known as the three mile limit,
44 to the intersection with the Easterly projection of
45 the South line of Block 206 of said HOLLYWOOD CENTRAL
46 BEACH, said South line being the original Corporate
47 Limits as described in the Municipal Code of the City
48 of Dania Beach and the Corporate Limits of the City of
49 Hollywood as established by Chapter 30836 of the Laws
50 of Florida;
51
52 Thence Westerly on said Easterly projection of the
53 South line of Block 206 to the intersection with the
54 mean (ordinary) low water mark of the Atlantic Ocean;
55
56 Thence Northerly on said mean (ordinary) low water

Page 2 of 3

~~billdraft39526w correction.docx~~~~billdraft39526w correction~~~~billdraft39526.docx~~~~billdraft39526~~

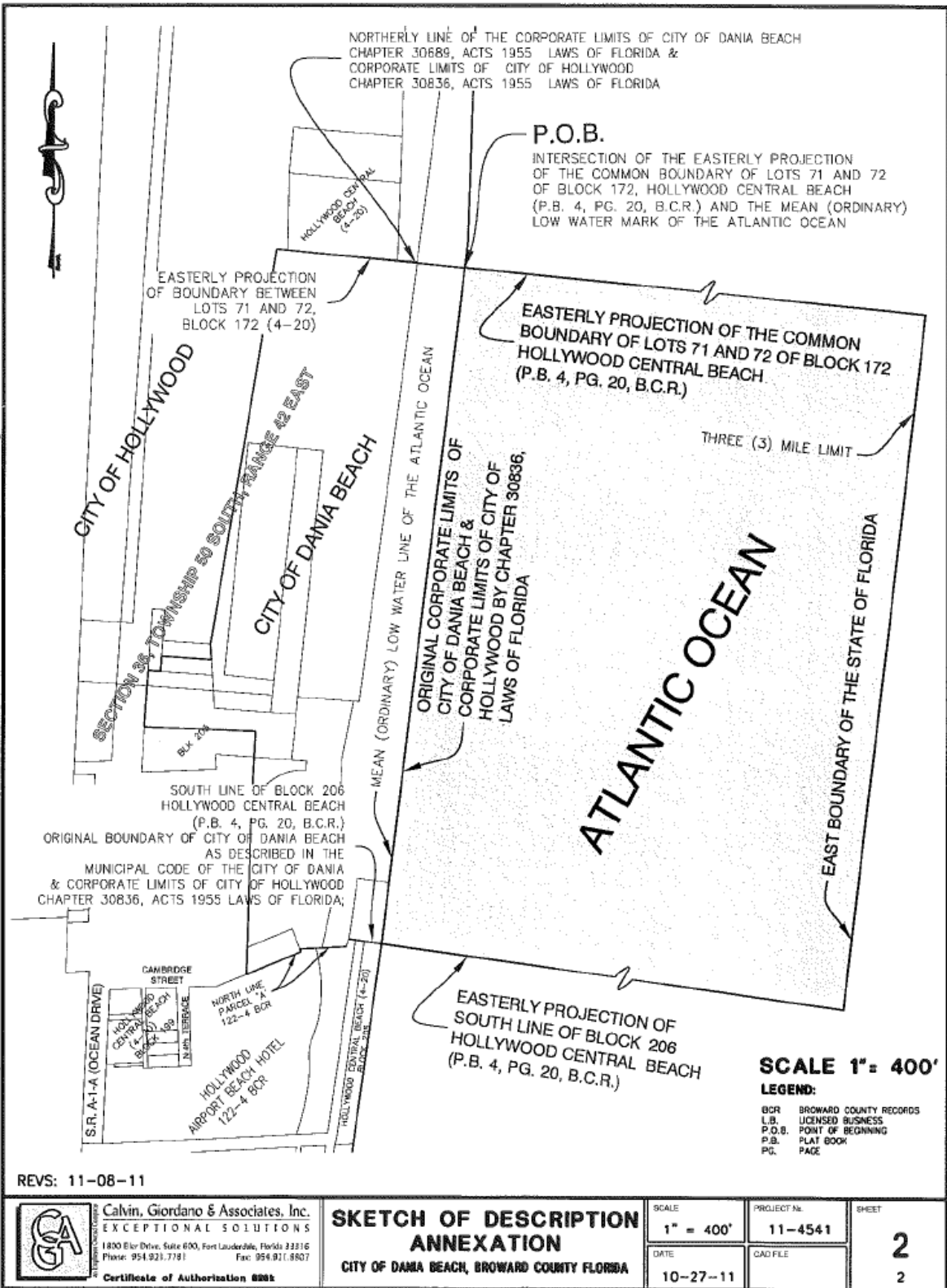
CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

F L O R I D A H O U S E O F R E P R E S E N T A T I V E S

BILL	ORIGINAL	YEAR
57	<u>mark of the Atlantic Ocean and on said Original</u>	
58	<u>Corporate Limits of the City of Dania Beach and on the</u>	
59	<u>Corporate Limits of the City of Dania Beach as</u>	
60	<u>established by said Chapter 30689, Acts 1955 of the</u>	
61	<u>Laws of Florida, to the POINT OF BEGINNING.</u>	
62	Section 2. This act shall take effect upon becoming a law.	

P:\Projects\2011\114541 City of Dania Beach Annexation\Survey\SKETCH\11-4541-V-SD-Dania Expended.dwg



CITY OF DANIA BEACH AREA MAP



HOUSE OF REPRESENTATIVES
LOCAL BILL ECONOMIC IMPACT STATEMENT FORM

Read all instructions carefully.

House local bill policy prohibits a local bill from being considered by a committee or subcommittee without an Economic Impact Statement. This form must be prepared by an individual who is qualified to establish fiscal data and impacts and has personal knowledge of the information given (for example, a chief financial officer of a particular local government) and include information for the first two full fiscal years after the effective date of the local bill. Please file this completed form with the Clerk of the House as soon as possible after a bill is filed. Additional pages may be attached as necessary.

BILL #: _____
SPONSOR(S): _____
RELATING TO: _____
[Indicate Area Affected (City, County or Special District) and Subject]

☐ Check if this is a revised Economic Impact Statement

I. REVENUES:

These figures are new revenues that would not exist but for the passage of the bill. The term "revenue" contemplates, but is not limited to, taxes, fees, and special assessments. For example, license plate fees may be a revenue source. If the bill will add or remove property or individuals from the tax base, include this information as well.

	<u>First FY</u>	<u>Second FY</u>
Revenue decrease due to bill:	\$ _____	\$ _____
Revenue increase due to bill:	\$ _____	\$ _____

II. COST:

Include all costs, both direct and indirect, including start-up costs. If the bill repeals the existence of a certain entity, state the related costs, such as satisfying liabilities and distributing assets.

Expenditures for Implementation, Administration, and Enforcement:

<u>First FY</u>	<u>Second FY</u>
\$ _____	\$ _____

Please include explanations and calculations regarding how each dollar figure was determined in reaching total cost.

III. FUNDING SOURCE(S):

State the specific sources from which funding will be received, for example, license plate fees, state funds, borrowed funds, or special assessments.

If certain funding changes are anticipated to occur beyond the following two fiscal years, explain the change and at what rate taxes, fees, or assessments will be collected in those years.

	<u>First FY</u>	<u>Second FY</u>
Local:	\$ _____	\$ _____
State:	\$ _____	\$ _____
Federal:	\$ _____	\$ _____

IV. ECONOMIC IMPACT:

Potential Advantages:

Include all possible outcomes linked to the bill, such as increased efficiencies, and positive or negative changes to tax revenue. If an act is being repealed or an entity dissolved, include the increased or decreased efficiencies caused thereby. Include specific figures for anticipated job growth.

1. Advantages to Individuals: _____

2. Advantages to Businesses: _____

3. Advantages to Government: _____

Potential Disadvantages:

Include all possible outcomes linked to the bill, such as inefficiencies, shortages, or market changes anticipated. Include reduced business opportunities, such as reduced access to capital or training. State any decreases in tax revenue as a result of the bill.

1. Disadvantages to Individuals: _____

2. Disadvantages to Businesses: _____

3. Disadvantages to Government:

V. DESCRIBE THE POTENTIAL IMPACT OF THE BILL ON PRESENT GOVERNMENTAL SERVICES:

VI. SPECIFIC DATA USED IN REACHING ESTIMATES:

Include the type(s) and source(s) of data used, percentages, dollar figures, all assumptions made, history of the industry/issue affected by the bill, and any audits.

VII. CERTIFICATION BY PREPARER

I hereby certify I am qualified to establish fiscal data and impacts and have personal knowledge of the information given. I have reviewed all available financial information applicable to the substance of the above-stated local bill and confirm the foregoing

Economic Impact Statement is a true and accurate estimate of the economic impact of the bill.

PREPARED BY: _____
[Must be signed by Preparer]

Print preparer's name: _____

Date

TITLE (such as Executive Director, Actuary, Chief Accountant, or Budget Director):

REPRESENTING: _____

PHONE: _____

E-MAIL ADDRESS: _____

SAMPLE NOTIFICATION TO PROPERTY OWNER

August 30, 2011

City of Cornucopia
9876 N. Pumpkin Dr.
Cornucopia, FL 54321

Dear Property Owner:

The City of Cornucopia will be filing a request with the Broward Legislative Delegation to annex the unincorporated area that includes your property. This letter is to inform you that the Broward Legislative Delegation will hold a hearing on Thursday, September 6, 2011 from 2:00 – 4:00pm at the Broward County Governmental Center, 115 S. Andrews Ave, 433, Fort Lauderdale, FL, 33301. The Delegation will be discussing this request for a local bill to provide for the annexation of your property into the City of Cornucopia. Public Testimony will be taken at this meeting. If you wish to speak at this meeting, please call the Delegation (954 357-6555). You may sign up to speak on line at <http://www.broward.org/Legislative/Pages/PresentationForm.aspx>.

Please execute and return the Petition to me if you are willing to voluntarily be annexed at no cost to you. If you have questions, you may call this office to discuss this matter further.

James Doe
City Manager
City of Cornucopia

SAMPLE PETITION FROM PROPERTY OWNER

James Doe
City Manager
City of Cornucopia
9876 N. Pumpkin Dr.
Cornucopia, FL 54321

Re: Petition for Voluntary Annexation into the City of Cornucopia

Dear Mr. Doe:

This petition shall serve as my expression of willingness and Petition to the City of Cornucopia to voluntarily annex the parcel of land I own into the City of Cornucopia. As a duly authorized representative of the entity and owner of the designated parcel, I hereby submit this Petition to the governing body of the City of Cornucopia for Voluntary annexation into the City of Cornucopia.

Signature

Print Name

Date

Parcel #/ Address: _____
