

1                                   A bill to be entitled  
 2           An act relating to dissolution of municipalities;  
 3           amending s. 165.051, F.S.; requiring the dissolution  
 4           of a municipality after a referendum is held if  
 5           specified conditions are met; providing the procedures  
 6           for setting the date for a referendum to dissolve a  
 7           municipality; providing notice requirements; providing  
 8           an effective date.

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

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 12           Section 1. Section 165.051, Florida Statutes, is amended  
 13 to read:

14           165.051 Dissolution procedures.—

15           (1) The charter of any existing municipality may be  
 16 revoked and the municipal corporation dissolved by ~~either~~:

17           (a) A special act of the Legislature; ~~or~~

18           (b) An ordinance of the governing body of the  
 19 municipality, approved by a vote of the qualified voters; or

20           (c) Approval of a vote of a majority of the qualified  
 21 electors voting in a referendum to dissolve the municipality  
 22 that must be held if one or more of the following criteria  
 23 applies:

24           1. The municipality was determined to be in a state of  
 25 financial emergency after June 17, 2004, and has been in a state

26 | of financial emergency for 2 or more years.

27 |       2. A financial emergency board has been established in  
28 | response to a financial emergency and the municipality has  
29 | failed to comply with the terms included in any signed agreement  
30 | with the Governor's office as part of the financial emergency.  
31 | Failure to comply with the terms of any signed agreement  
32 | includes failing to submit a recovery plan, the required budget  
33 | documents and amendments, and invoices that support requested  
34 | expenditures.

35 |       3. The municipality has submitted its annual financial  
36 | report required by s. 218.32, and the annual financial audit  
37 | report required by s. 218.39, more than 3 months late for 2 or  
38 | more consecutive years.

39 |       4. A grand jury or an Auditor General audit report was  
40 | issued within the past 3 years that contains a significant  
41 | number of findings and the municipality has failed to resolve  
42 | five or more of those findings within 12 months after issuance  
43 | of the report.

44 |       (2) (a) If a vote of the qualified voters is required  
45 | pursuant to paragraph (1) (b), the governing body of the  
46 | municipality or, if the municipal governing body does not act  
47 | within 30 days, the governing body of the county or counties in  
48 | which the municipality is located, shall set the date of the  
49 | election, which shall be the next regularly scheduled election  
50 | or a special election held prior to such election, if approved

51 | by a majority of the members of the governing body of each  
52 | governmental unit affected, but no sooner than 30 days after  
53 | passage of the ordinance. Notice of the election shall be  
54 | published at least once each week for 2 consecutive weeks prior  
55 | to the election in a newspaper of general circulation in the  
56 | municipality.

57 | (b) Within 30 days after one or more of the criteria  
58 | contained in subparagraphs (1)(c)1.-4., is met, the governing  
59 | body of the municipality or, if the municipal governing body  
60 | does not act, the governing body of the county or counties in  
61 | which the municipality is located, shall set the date of the  
62 | referendum to dissolve the municipality, which shall be the next  
63 | regularly scheduled general election. Notice of the election  
64 | shall be published at least once each week for 2 consecutive  
65 | weeks prior to the election in a newspaper of general  
66 | circulation in the municipality.

67 | Section 2. This act shall take effect July 1, 2020.