

ENROLLED

HB 11B

2023B Legislature

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

An act relating to the Sunshine Water Control District, Broward County; codifying, reenacting, amending, and repealing the district charter; providing legislative intent; providing for continuation of authority for revenue collection and powers to meet outstanding obligations; providing a definition; repealing chapters 63-609 and 2021-255, Laws of Florida, and chancery decree No. 62-4596-F, relating to the district; providing an exception to general law; providing an effective date.

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

Section 1. Chapters 63-609 and 2021-255, Laws of Florida, relating to the Sunshine Water Control District, formerly known as the Sunshine Drainage District, and the decree in chancery No. 62-4596-F entered by the Circuit Court in and for the Fifteenth Judicial Circuit of the State of Florida on January 23, 1963, creating and incorporating the Sunshine Drainage District as a public corporation of the State of Florida, are codified, reenacted, amended, and repealed as provided herein. Furthermore, it is the intent of the Legislature to preserve all authority to generate revenue and pay outstanding indebtedness as continued in force by the operation of ss. 2 and 15, Art. XII

ENROLLED

HB 11B

2023B Legislature

26 | of the State Constitution.

27 | Section 2. The charter for the Sunshine Water Control  
28 | District is reenacted to read:

29 | Section 1. The Sunshine Water Control District, as  
30 | ratified and approved by chapter 63-609, Laws of Florida, and  
31 | subsequently amended by chapter 2021-255, Laws of Florida, is  
32 | hereby ratified, confirmed, and approved. The Sunshine Water  
33 | Control District shall continue to be a public corporation of  
34 | this state and have perpetual existence. All lawful debts,  
35 | bonds, obligations, contracts, franchises, promissory notes,  
36 | audits, minutes, resolutions, and other undertakings of the  
37 | Sunshine Water Control District are hereby validated and shall  
38 | continue to be valid and binding on the district in accordance  
39 | with their respective terms, conditions, and covenants. All  
40 | taxes levied by the Board of Supervisors of the Sunshine Water  
41 | Control District are validated and shall continue to be valid  
42 | and binding on the district in accordance with their respective  
43 | terms, conditions, and covenants. All taxes levied by the Board  
44 | of Supervisors of the Sunshine Water Control District on lands  
45 | within the boundaries of the district shall continue to be  
46 | effective, binding, and collectible and a lien on such lands in  
47 | accordance with this act. Any proceeding commenced by the  
48 | Sunshine Water Control District for the construction of any  
49 | improvements, works, or facilities; for the assessment of  
50 | benefits and damages; or for the borrowing of money shall not be

ENROLLED

HB 11B

2023B Legislature

51 impaired or avoided by this act.

52 Section 2. Boundaries.—The Sunshine Water Control District  
 53 shall include all of the lands within the following described  
 54 boundaries:

55  
 56 The West five-eighths (W. 5/8) of Section 14, TOGETHER WITH  
 57 Sections 16, 18, 20 and 22, Township 48 South, Range 41  
 58 East, Broward County, Florida.

59  
 60 TOGETHER WITH Sections 15, 17, 19 and 21, Township 48  
 61 South, Range 41 East, according to the plat of FLORIDA  
 62 FRUIT LANDS COMPANY'S SUBDIVISION NO. 2, as recorded in  
 63 Plat Book 1, Page 102, of the Public Records of Palm Beach  
 64 County, Florida.

65  
 66 TOGETHER WITH a strip of land known as the Sunshine  
 67 Drainage District East Outfall Canal Right of Way, said  
 68 strip of land being that portion of Section 27, Township 48  
 69 South, Range 41 East, according to the plat of FLORIDA  
 70 FRUIT LANDS COMPANY'S SUBDIVISION NO. 2, as recorded in  
 71 Plat Book 1, Page 102, of the Public Records of Palm Beach  
 72 County, Florida, lying East of a line parallel with and 170  
 73 feet West of the East line of said Section 27; TOGETHER  
 74 WITH the East 170 feet of that portion of Section 34,  
 75 Township 48 South, Range 41 East, Broward County, Florida,

ENROLLED

HB 11B

2023B Legislature

76 lying North of the North Right of Way line of South Florida  
 77 Water Management District (formerly Central and Southern  
 78 Florida Flood Control District) Canal C-14.

79  
 80 TOGETHER WITH a 170 foot wide strip of land, known as the  
 81 Sunshine Drainage District West Outfall Canal Right of Way,  
 82 said strip of land being portions of Sections 28 and 32,  
 83 Township 48 South, Range 41 East, Broward County, Florida,  
 84 and a portion of Section 29, Township 48 South, Range 41  
 85 East, according to the plat of FLORIDA FRUIT LANDS  
 86 COMPANY'S SUBDIVISION NO. 2, as recorded in Plat Book 1,  
 87 Page 102, of the Public Records of Palm Beach County,  
 88 Florida, as described in Official Records Book 5345, Pages  
 89 483 through 486, inclusive, of the Public Records of  
 90 Broward County, Florida.

91  
 92 TOGETHER WITH a 60 foot wide strip of land being a portion  
 93 of Section 33, Township 48 South, Range 41 East, according  
 94 to the plat of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION  
 95 NO. 2, as recorded in Plat Book 1, Page 102, of the Public  
 96 Records of Palm Beach County, Florida, bounded on the West  
 97 by the West line of said Section 33, and bounded on the  
 98 North, East and South by Tract "T" (Park) OAKLAND WOOD,  
 99 according to the Plat thereof, recorded in Plat Book 80,  
 100 Page 39, of the Public Records of Broward County, Florida.

ENROLLED

HB 11B

2023B Legislature

101  
 102 TOGETHER WITH portions of Sections 12, 13 and 24, Township  
 103 48 South, Range 40 East, Broward County, Florida, lying  
 104 East of the East Right-of-Way line of LEVEE L-36 (600 foot  
 105 Canal Right-of-Way), lying North of the Westerly extension  
 106 of the South line of said Section 19, Township 48 South,  
 107 Range 41 East, and lying South of the Westerly extension of  
 108 the North line of said Section 18, Township 48 South, Range  
 109 41 East, Broward County, Florida.

110  
 111 Said lands lying and situate in the City of Coral Springs,  
 112 Broward County, Florida, containing 5533.5 acres, more or  
 113 less.

114  
 115 Section 3. Chapter 298, Florida Statutes, made  
 116 applicable.—The Sunshine Water Control District, a public  
 117 corporation of this state, created under chapter 298, Florida  
 118 Statutes, shall be governed by chapter 298, Florida Statutes, as  
 119 may be subsequently amended, so far as not inconsistent with  
 120 this act or any subsequent special acts relating to the Sunshine  
 121 Water Control District.

122 Section 4. Powers of the district.—The Sunshine Water  
 123 Control District shall have, in addition to the powers provided  
 124 for in chapter 298, Florida Statutes, the power and authority to  
 125 construct, improve, pave, and maintain roadways and roads

ENROLLED

HB 11B

2023B Legislature

126 necessary and convenient to provide access to and efficient  
 127 development of areas made suitable and available for the  
 128 cultivation, settlement, urban subdivision, homesites, and other  
 129 beneficial use and development as a result of the drainage and  
 130 reclamation operations of the district, including any dedicated  
 131 to public use within the boundaries of the district.

132 Section 5. Levy of taxes on fractional acres.—In levying  
 133 and assessing all taxes, each tract or parcel of land less than  
 134 one acre in area shall be assessed as a full acre, and each  
 135 tract or parcel of land more than one acre in area which  
 136 contains a fraction of an acre shall be assessed at the nearest  
 137 whole number of acres, a fraction of one-half or more to be  
 138 assessed as a full acre.

139 Section 6. Application to existing district, boundaries,  
 140 plan of reclamation, and drainage, etc.—The powers hereinabove  
 141 vested in the Board of Supervisors of the Sunshine Water Control  
 142 District shall apply to the presently existing district, the  
 143 presently existing boundaries thereof or as the boundaries may  
 144 be extended as authorized by law, and the present plan of  
 145 reclamation and drainage together with any assessment of  
 146 benefits which may be approved by law, and the boundaries of  
 147 said district and the plan of reclamation and drainage and the  
 148 assessment and levying of taxes for carrying out said plan of  
 149 reclamation and drainage and for the maintenance and operation  
 150 thereof, may be changed in whole or in part as units, or, with

ENROLLED

HB 11B

2023B Legislature

151 reference to the entire district, in accordance with chapter  
 152 298, Florida Statutes, and this act.

153 Section 7. Board of supervisors.-

154 (1) Prior to November 5, 2024, the district is governed by  
 155 a three-member board, elected on a 1-acre, one-vote basis by the  
 156 landowners in the district. However, landowners owning less than  
 157 1 acre shall be entitled to one vote. Landowners with more than  
 158 1 acre shall be entitled to 1 additional acre for any fraction  
 159 of an acre owned when all acreage has been aggregated for  
 160 purposes of voting. The procedures for conducting district  
 161 elections and for qualification of electors shall be pursuant to  
 162 chapters 189 and 298, Florida Statutes, as they may be amended  
 163 from time to time. However, a quorum for purposes of holding the  
 164 annual meeting or any special meeting shall consist of those  
 165 landowners present in person or represented by proxy at the  
 166 meeting. The membership and organization of the board shall be  
 167 as set forth in this act and chapter 298, Florida Statutes, as  
 168 they may be amended from time to time.

169 (2) As of November 5, 2024, the board of supervisors shall  
 170 consist of five members.

171 (3) Notwithstanding any provision of law to the contrary,  
 172 members of the board of supervisors shall be elected by the  
 173 qualified electors of the district. Election of board members by  
 174 the qualified electors shall be the exclusive method for the  
 175 election of the members of the board of supervisors.

ENROLLED

HB 11B

2023B Legislature

176       (4) The board of supervisors shall call an election at  
177 which the members of the board will be elected. Such election  
178 shall be held in conjunction with the general election in  
179 November 2024. Candidates may qualify for the offices of the  
180 board of supervisors, which shall be designated as seat 1, seat  
181 2, seat 3, seat 4, and seat 5, each elected at large within the  
182 district. A candidate qualifying for election must be an elector  
183 and resident of the district. Each board member shall be elected  
184 by the qualified electors of the district for a term of 4 years,  
185 except that, at the first such election, the three members  
186 elected to seat 1, seat 2, and seat 3 shall be elected for terms  
187 of 4 years each, and the two members elected to seat 4 and seat  
188 5 shall be elected for terms of 2 years each. Thereafter, there  
189 shall be an election held every 2 years for expiring terms and  
190 all members shall be elected for terms of 4 years each. The  
191 candidate receiving the most votes for each seat shall be  
192 elected. All elected board members must be qualified electors of  
193 the district. Members of the board of supervisors as of October  
194 1, 2023, shall serve until the certification of the November  
195 2024 general election results.

196       (5) Elections of board members by qualified electors held  
197 pursuant to this section shall be nonpartisan and shall be  
198 conducted in a manner prescribed by law for holding general  
199 elections. Board members shall assume the office on the second  
200 Tuesday following their election.



ENROLLED

HB 11B

2023B Legislature

201       (6) Candidates seeking election to office by qualified  
 202 electors under this section shall conduct their campaigns in  
 203 accordance with chapter 106, Florida Statutes, and shall file  
 204 qualifying papers and qualify for individual seats in accordance  
 205 with s. 99.061, Florida Statutes. Candidates shall pay a  
 206 qualifying fee, which shall consist of a filing fee and election  
 207 assessment or, as an alternative, shall file a petition signed  
 208 by not less than 1 percent of the qualified electors of the  
 209 district, and take the oath required in s. 99.021, Florida  
 210 Statutes, with the Supervisor of Elections of Broward County.  
 211 The amount of the filing fee is 3 percent of the annual salary  
 212 of the office. The amount of the election assessment is 1  
 213 percent of the annual salary of the office. The filing fee and  
 214 election assessment shall be distributed as provided in s.  
 215 105.031(3), Florida Statutes.

216       (7) The Supervisor of Elections of Broward County shall  
 217 appoint the inspector and clerks of elections, prepare and  
 218 furnish the ballots, designate polling places, and canvass the  
 219 returns of the election of board members by qualified electors.  
 220 The county canvassing board shall declare and certify the  
 221 results of the election.

222       (8) The terms "qualified elector" and "elector" mean any  
 223 person at least 18 years of age who is a citizen of the United  
 224 States, a permanent resident of the state, and a resident of the  
 225 county within which the district lands are located when the

ENROLLED

HB 11B

2023B Legislature

226 registration books are open.

227 Section 8. Severability.—In case any one or more of the  
 228 sections or provisions of this act or the application of such  
 229 sections or provisions to any situations, circumstances, or  
 230 person shall for any reason be held to be unconstitutional, such  
 231 unconstitutionality shall not affect any other sections or  
 232 provisions of this act or the applications of such sections or  
 233 provisions to any other situation, circumstances, or person, and  
 234 it is intended that this law shall be construed and applied as  
 235 if such section or provision had not been included herein for  
 236 any unconstitutional application.

237 Section 9. Effect of conflict.—In the event of a conflict  
 238 between the provisions of this act and the provisions of any  
 239 other act, the provisions of this act shall control to the  
 240 extent of such conflict.

241 Section 3. The provisions of this act shall be liberally  
 242 construed to effect their purposes and shall be deemed  
 243 cumulative, supplemental, and alternative authority for the  
 244 exercise of the powers provided herein.

245 Section 4. Chapters 63-609 and 2021-255, Laws of Florida,  
 246 and the decree in chancery No. 62-4596-F entered by the Circuit  
 247 Court in and for the Fifteenth Judicial Circuit of the State of  
 248 Florida on January 23, 1963, creating and incorporating the  
 249 Sunshine Drainage District as a public corporation of the State  
 250 of Florida, are repealed.

ENROLLED

HB 11B

2023B Legislature

251           Section 5. Notwithstanding s. 189.0311(2), Florida  
252 Statutes, the Sunshine Water Control District is not dissolved  
253 as of June 1, 2023, but continues in full force and effect.

254           Section 6. This act shall take effect upon becoming a law.