



Annexation

Priority Statement:

The Florida League of Cities SUPPORTS legislation that facilitates the municipal annexation of unincorporated areas while protecting private property rights and respecting municipal boundaries.

Background:

In Florida, there are four ways in which an annexation may take place: by special act of the Legislature, a voluntary annexation, an involuntary annexation or an interlocal agreement with the county.

Under the Florida Constitution, the Legislature has the authority to develop procedures for the municipal annexation of unincorporated territory by general or special law. In 1974, the Municipal Annexation or Contraction Act was passed, providing a mechanism for municipalities to annex territory and recede from territory by contraction. This act allowed municipalities to annex territories that is "contiguous, compact, unincorporated and developed for urban purposes."

The current annexation process makes it difficult for cities to annex certain unincorporated enclaves and unincorporated areas where city services are already being provided. Current law requires that if more than 70% of the land in the area proposed to be annexed is owned by individuals, corporations or legal entities that are not registered electors of the area, the area cannot be annexed without the approval of at least 50% of the owners. Additionally, a vote of electors of the area proposed to be annexed is not required if the area does not have any registered voters.

In some cases, the process of taking a vote of the electors of the area proposed to be annexed prior to annexation has frustrated annexation efforts to the detriment of property owners desiring to be annexed.

During the 2017 Legislative Session, a bill was proposed that would have removed the limitation on requiring the city to get permission "from at least 50 percent of owners in an area proposed to be annexed, when more than 70 percent of the land is owned by individuals, corporations, or legal entities." Additionally, the legislation would have allowed for an area to be annexed without a vote of the electors if there are no registered electors that own property in the area proposed to be annexed on the date the ordinance is adopted. Ultimately, the 2017 legislation

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failed to pass the Legislature.

The League will support legislation that facilitates the annexation of enclaves, gives property owners an adequate voice in the annexation of their properties and requires that any contraction or de-annexation initiated by special act must be agreed to by each of the municipalities involved.