

The Florida Senate

2012 Florida Statutes

<u>TITLE XI</u> COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS	<u>CHAPTER 159</u> BOND FINANCING	<u>VIEW ENTIRE CHAPTER</u>
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159.45 Creation of industrial development authorities.—

(1) In each county, there is hereby created a local governmental body as a public body corporate and politic to be known as the “ ___ County **Industrial Development Authority**,” hereafter referred to as “**authority**” or “**authorities**.” Each of the authorities is constituted as a public instrumentality for the purposes of **industrial development**, and the exercise by an **authority** of the powers conferred by ss. 159.44-159.53 shall be deemed and held to be the performance of an essential public purpose and function. No **authority** shall transact any business or exercise any power hereunder until and unless the county commission by proper resolution shall declare that there is a need for an **authority** to function in such county. The determination as to whether there is such need for an **authority** to function:

- (a) May be made by the commission on its own motion; or
- (b) Shall be made by the commission upon the filing of a petition signed by 25 residents of the county asserting that there is need for an **authority** to function in such county and requesting that the commission so declare.

(2) The commission may adopt the resolution declaring that there is need for an **industrial development authority** in the county if it shall find that there exists a need for the **development** and financing of industry or projects in the county. The resolution shall be sufficient if it declares that there is such a need for an **authority** in the county. A copy of the resolution, duly certified by the clerk, shall be admissible in any suit, action, or proceeding.

(3) The aforementioned resolution shall designate not less than five persons who are residents and electors of the county as members of the **authority** created for said county. Of the members first appointed, one shall serve for 1 year, one for 2 years, one for 3 years, and the remainder for 4 years and in each case until his or her successor is appointed and has qualified. Thereafter, the commission shall appoint for terms of 4 years each a member or members to succeed those whose terms expire. The commission shall fill any vacancy for an unexpired term. A member of the **authority** shall be eligible for reappointment. Any member of the **authority** may be removed by the commission for misfeasance, malfeasance, or willful neglect of duty. Each member of the **authority**, before entering upon his or her duties, shall take and subscribe the oath or affirmation required by the State Constitution. A record of each such oath shall be filed with the Department of State and with the clerk.

(4) The **authority** shall annually elect one of its members as chair and one as vice chair and may also appoint a secretary who shall serve at the pleasure

of the **authority** and receive such compensation as shall be fixed by the **authority**.

(5) The secretary shall keep a record of the proceedings of the **authority** and shall be custodian of all books and records of the **authority** and of its official seal.

(6) A majority of the members of the **authority** shall constitute a quorum, and the affirmative vote of a majority of the members present shall be necessary for any action taken by the **authority**. No vacancy in the membership of the **authority** shall impair the right of a quorum to exercise all the rights and perform all the duties of the **authority**. Any action taken by the **authority** under the provisions of ss. 159.44-159.53 may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately and need not be published or posted.

(7) The members of the **authority** shall receive no compensation for the performance of their duties hereunder, but each such member shall be paid necessary expenses incurred while engaged in the performance of such duties.

(8) The **authority** may also appoint such other officers as it may deem necessary.

History.—s. 1, ch. 70-229; s. 1, ch. 70-439; s. 13, ch. 80-287; s. 1, ch. 86-214; s. 886, ch. 95-147.

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