

BOARD MEETING AGENDA ITEM SUMMARY

Board Meeting Date:

(Select All that Apply) **Decision Making Agenda Item**

 Discussion Purposes Only Agenda Item

 Walk On Agenda Item

SUBJECT: House Bill 4013

PERSON(S) MAKING SUBMITTAL OF AGENDA ITEM: Chief Comer and Richard Pringle, Esquire

BACKGROUND/DETAIL OF AGENDA ITEM:

This is a special Board meeting that was called and noticed for the purpose of discussing and possibly taking action on matters related to the topic of the involuntary merger being imposed upon Iona McGregor Fire Protection and Rescue District with Fort Myers Beach Fire Control District by House Bill 4013.

A copy of the final version of House Bill 4013 that passed in the House and the Senate is attached. As of Tuesday morning, April 28, 2026, it appears that the Governor has not vetoed or signed House Bill 4013 into law. As the Board previously requested at the Board meeting on April 15, 2026, correspondence to Governor DeSantis was prepared and signed by Chairman Andersen with a request for Governor DeSantis to veto House Bill 4013. Fort Myers Beach Fire District has also forwarded correspondence to Governor DeSantis requesting him to veto House Bill 4013.

The primary statutory law that deals with the District's ability to address the referendum question is Section 106.113 of the Florida Statutes. Section 106.113 of the Florida Statutes was revised with an effective date of July 1, 2022. The revisions to Section 106.113 of the Florida Statutes have significantly impacted and reduced the District's ability to take efforts to address the referendum question in House Bill 4013. A copy of Section 106.113 of the Florida Statutes is attached.

BUDGET IMPACT: Yes / No / Unknown – If Yes, how much? From where?

REQUESTED BOARD ACTION: To be determined.

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1
 2 An act relating to Lee County; amending chapter 2000-
 3 384, Laws of Florida; revising the boundaries of the
 4 Iona-McGregor Fire Protection and Rescue Service
 5 District; repealing chapters 2000-422 and 2008-275,
 6 Laws of Florida, relating to the Fort Myers Beach Fire
 7 Control District; providing for the merger of the
 8 districts; providing for transition of the governing
 9 body; transferring assets and liabilities of the Fort
 10 Myers Beach Fire Control District to the Iona-McGregor
 11 Fire Protection and Rescue Service District; requiring
 12 a referendum; providing effective dates.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsection (3) of section 2 of section 3 of
 17 chapter 2000-384, Laws of Florida, is amended to read:

18 Section 2. District creation; status; charter amendments;
 19 boundaries.—

20 (3) The lands to be included within the district are the
 21 following described lands in Lee County:

22
 23 In Township 45 South, Range 24 East, the unincorporated
 24 portions of Section 2 and 3, all of Sections 9 and 10, the
 25 west half (1/2) of the northwest quarter (1/4) and the

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2026 Legislature

26 west half (1/2) of the southwest quarter (1/4) of Section
 27 11, all of Sections 15 and 16, the east half (1/2) of
 28 Section 17, all of sections 20, 21, 22, 27, 28, 29, 30, 31,
 29 32, 33, 34, and in Township 46 South, Range 24 East, that
 30 portion of Section 2 lying west of the waters of Hendry
 31 Creek, all of sections 3, 4, 5, 6, the north half (1/2) of
 32 7, all of sections 8, 9, 10, those portions of sections 11
 33 and 14 lying west of the waters of Hendry Creek, all of
 34 sections 15, 16, 17, 22, that portion of Section 23 lying
 35 west of the waters of Hendry Creek, and in Township 45
 36 South, Range 23 East, the south half (1/2) of Section 25,
 37 the south half (1/2) of Section 27, the southeast quarter
 38 (1/4) of Section 28, all of sections 33, 34, 35, 36, and
 39 in Township 46 South, Range 23 East, all of Sections 1, 2,
 40 3, 4, 9, 10, 11, and 12 less and except the southeast
 41 quarter (1/4) thereof, the west half (1/2) of 13, and the
 42 east half (1/2) of 14 ~~less and except that portion located~~
 43 ~~within the territorial limits, of the Fort Myers Beach Fire~~
 44 ~~Control District, and less and except that portion of all~~
 45 the above described lands located within the municipal
 46 boundaries of the City of Fort Myers.

47
 48 TOGETHER WITH

49
 50 All that part of Lee County that is located and situated

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CS/HB 4013

2026 Legislature

51 within San Carlos Island; Estero Island; Easterly One-Half
52 (1/2) of Section 13, Township 46 South, Range 23 East;
53 Section 18, Township 46 South, Range 24 East; and section
54 7, Township 46 South, Range 24 East except that part which
55 is located and situated north of the old railroad grade.

56 Section 2. Chapters 2000-422 and 2008-275, Laws of
57 Florida, are repealed.

58 Section 3. Transition.-

59 (1) As of the effective date of this act, the Fort Myers
60 Beach Fire Control District is merged into the Iona-McGregor
61 Fire Protection and Rescue Service District. The Board of
62 Commissioners of the Iona-McGregor Fire Protection and Rescue
63 Service District, as provided in this act and chapter 2000-384,
64 Laws of Florida, shall serve as the governing body of the
65 district and is authorized to exercise all powers that may be
66 exercised by the board pursuant to chapter 2000-384, Laws of
67 Florida.

68 (2) Notwithstanding s. 191.005, Florida Statutes, and
69 chapter 97-340, Laws of Florida, from the effective date of this
70 act until the next general election, the governing body of the
71 Iona-McGregor Fire Protection and Rescue Service District shall
72 be composed of the five members of the Iona-McGregor Fire
73 Protection and Rescue Service District Board of Commissioners as
74 of the effective date of this act and the two members of the
75 governing board of the Fort Myers Beach Fire Control District

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CS/HB 4013

2026 Legislature

76 | elected pursuant to chapter 2000-422, Laws of Florida, whose
 77 | terms expire at the 2028 general election.

78 | (3) All assets and liabilities, including any pension
 79 | liabilities, of the Fort Myers Beach Fire Control District as of
 80 | the effective date of this act shall be transferred to the Iona-
 81 | McGregor Fire Protection and Rescue Service District.

82 | Section 4. Referendum.—

83 | (1) The referendum election called for by this act shall
 84 | be held on November 3, 2026, concurrent with the 2026 general
 85 | election.

86 | (2) The ballot title for the referendum question shall be
 87 | in substantially the following form:

88 |
 89 | MERGER OF FORT MYERS BEACH AND IONA-MCGREGOR FIRE CONTROL AND
 90 | RESCUE SERVICE DISTRICTS

91 | (3) The referendum question shall be placed on the ballot
 92 | in substantially the following form:

93 |
 94 | Shall Chapter 2026- , Laws of Florida, amending the boundaries
 95 | of the Iona-McGregor Fire Protection and Rescue Service District
 96 | to include all territories currently included in the Fort Myers
 97 | Beach Fire Control District, abolishing the Fort Myers Beach
 98 | Fire Control District, providing for a transitional board, and
 99 | transferring the assets and liabilities of the Fort Myers Beach
 100 | Fire Control District to the Iona-McGregor Fire Protection and

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CS/HB 4013

2026 Legislature

101 Rescue Service District, become effective?

102 () YES.

103 () NO.

104 (4) In the event this question is answered affirmatively
 105 by a majority of the qualified voters in each district voting in
 106 the referendum, this act shall take effect. The referendum
 107 election shall be conducted by the Supervisor of Elections of
 108 Lee County in accordance with the Florida Election Code.

109 Section 5. This act shall take effect upon its approval by
 110 a majority vote of those qualified electors of the Fort Myers
 111 Beach Fire Control District and the Iona-McGregor Fire
 112 Protection and Rescue Service District voting in a referendum to
 113 be held on November 3, 2026, except that this section and
 114 section 4 shall take effect upon becoming a law.

Select Year:

The 2025 Florida Statutes

[Title IX](#)

ELECTORS AND ELECTIONS

[Chapter 106](#)

CAMPAIGN FINANCING

[View Entire Chapter](#)

106.113 Expenditures by local governments.—

(1) As used in this section, the term:

(a) “Local government” means:

1. A county, municipality, school district, or other political subdivision in this state; and
2. Any department, agency, board, bureau, district, commission, authority, or similar body of a county, municipality, school district, or other political subdivision of this state.

(b) “Public funds” means all moneys under the jurisdiction or control of the local government.

(2) A local government or a person acting on behalf of local government may not expend or authorize the expenditure of, and a person or group may not accept, public funds for a political advertisement or any other communication sent to electors concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors. This subsection applies to a communication initiated by a local government or a person acting on behalf of a local government, irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of an issue, referendum, or amendment. This subsection does not preclude a local government or a person acting on behalf of a local government from reporting on official actions of the local government’s governing body in an accurate, fair, and impartial manner; posting factual information on a government website or in printed materials; hosting and providing information at a public forum; providing factual information in response to an inquiry; or providing information as otherwise authorized or required by law.

(3) With the exception of the prohibitions specified in subsection (2), this section does not preclude an elected official of the local government from expressing an opinion on any issue at any time.

*History.—*s. 1, ch. 2009-125; s. 2, ch. 2022-56.