

HB 913

2014

1 A bill to be entitled

2 An act relating to the Bay Medical Center, Bay County;
3 amending chapter 2005-343, Laws of Florida; providing
4 that the pension plan is an irrevocable trust;
5 providing for control of the plan; providing an
6 effective date.

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

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10 Section 1. Sections 9 and 10 of section 3 of chapter 2005-
11 343, Florida Statutes, are renumbered as sections 10 and 11,
12 respectively, and a new section 9 is added to section 3 of that
13 chapter, to read:

14 Section 9. The Bay Medical Center pension plan, as adopted
15 effective January 1, 2004, and restated January 1, 2013, is
16 declared to be an irrevocable trust in accordance with s.
17 112.66(8), Florida Statutes. The assets and liabilities of the
18 plan shall be under the control of the board of trustees of the
19 plan and are not the responsibility of a governmental unit.

20 Section 10. ~~9.~~ The effectuation of the authorized purposes
21 under the provisions of this act shall be in all respects for
22 the benefit of the people of Bay County and is hereby declared
23 to be for the preservation of the public health, for the public
24 good, and for the use of the public of the county; and, since
25 the board will be performing essential governmental functions in
26 effectuating such purposes, the board or any other agency,

27 instrumentality, or body in charge of the hospital shall not be
28 required to pay any taxes or assessments of any kind or nature
29 whatsoever upon any property required or used for or in
30 connection with any additions, extensions, and improvements to
31 such hospital or hospitals or system or systems, or any rates,
32 fees, rentals, receipts, or income at any time received from the
33 operation thereof; and all bonds issued hereunder, their
34 transfer, and the income therefrom, including any profits made
35 on the sale thereof, shall at all times be free from taxation of
36 any kind by the state or by any political subdivision, taxing
37 agency, or instrumentality thereof.

38 Section 11. 10. The Legislature intends that the
39 provisions of this act shall be liberally construed in order to
40 accomplish the remedial purposes of this act which are to give
41 the board a reasonable opportunity to manage and develop a
42 public hospital or hospitals and other facilities in an
43 increasingly competitive and rapidly changing marketplace in
44 order to provide quality and comprehensive health care for the
45 residents of Bay County, regardless of ability to pay. Where
46 strict construction of this act would result in the defeat of
47 the accomplishment of any of the purposes of this act, and a
48 liberal construction would permit or assist in the
49 accomplishment thereof, the liberal construction shall be
50 chosen. In the event any provision of this act is held to be
51 unconstitutional or otherwise unenforceable, the remainder of
52 this act shall continue in full force and effect and be

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53 | liberally construed to advance the remedial purposes of this
54 | act.

55 | Section 2. This act shall take effect upon becoming a law.