

**STORAGE NAME:** h1095a.hcl

**DATE:** March 23, 1999

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
HEALTH CARE LICENSING & REGULATION  
ANALYSIS - LOCAL LEGISLATION**

**BILL #:** HB 1095

**RELATING TO:** Broward County/South Broward Hospital District

**SPONSOR(S):** Representative Wasserman-Schultz

**COMPANION BILL(S):**

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) HEALTH CARE LICENSING & REGULATION YEAS 8 NAYS 0
  - (2) COMMUNITY AFFAIRS
  - (3) GOVERNMENTAL OPERATIONS
  - (4) FINANCE AND TAXATION
  - (5)
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**I. SUMMARY:**

HB 1095 is a local bill that amends ch. 24415, Laws of Florida, 1947, to provide that the South Broward Hospital District is not to be considered a "public body" or "taxing authority" as those terms are used in part III of ch. 163, Florida Statutes. A "public body" or "taxing authority," pursuant to s. 163.340(2), Florida Statutes, "means the state or any county, municipality, authority, special taxing district..., or other public body of the state, except a school district."

It further provides that this provision shall apply to community redevelopment agencies established after January 1, 1998, but shall not apply to any community redevelopment agencies established prior to January 1, 1998.

This act shall take effect upon becoming a law, and shall apply retroactively to December 31, 1998.

According to the Economic Impact Statement filed with this bill, it will not have a fiscal impact on the state, local government, or the private sector. If a community redevelopment authority is established after January 1, 1998, it will not derive any revenues from the South Broward Hospital District.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

South Broward Hospital District was created by ch. 24415, Laws of Florida, in 1947. Currently, it is considered a public body or taxing authority for the purposes of part III of ch. 163, Florida Statutes. The hospital district is currently subject to tax increments of any community redevelopment agencies within which the hospital district is located.

B. EFFECT OF PROPOSED CHANGES:

Amends ch. 24415, Laws of Florida, 1947, to provide that the district is not to be considered a "public body" or "taxing authority" as those terms are used in part III of ch. 163, Florida Statutes.

It further provides that this provision shall apply to community redevelopment agencies established after January 1, 1998, but shall not apply to any community redevelopment agencies established prior to January 1, 1998.

This act shall take effect upon becoming a law, and shall apply retroactively to December 31, 1998.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Adds s. 41 to ch. 24415, Laws of Florida, 1947.

D. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

N/A

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?  
No.
- b. Does the bill require or authorize an increase in any fees?  
No.
- c. Does the bill reduce total taxes, both rates and revenues?  
No.
- d. Does the bill reduce total fees, both rates and revenues?  
No.
- e. Does the bill authorize any fee or tax increase by any local government?  
No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?  
N/A
- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?  
N/A

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?  
N/A
- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?  
N/A

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:
  - (1) Who evaluates the family's needs?  
N/A
  - (2) Who makes the decisions?  
N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

**E. SECTION-BY-SECTION ANALYSIS:**

Section 1. Adds s. 41 to ch. 24415, Laws of Florida, 1947, to provide that the South Broward Hospital District is not to be considered a "public body" or "taxing authority" as those terms are used in part III of ch. 163, Florida Statutes.

It further provides that this provision shall apply to community redevelopment agencies established after January 1, 1998, but shall not apply to any community redevelopment agencies established prior to January 1, 1998.

Section 2. Provides that this act shall take effect upon becoming a law, and shall apply retroactively to December 31, 1998.

**III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:**

A. NOTICE PUBLISHED? Yes [x] No [ ]

IF YES, WHEN? January 31, 1998.

WHERE? The Miami Herald, Miami, Dade County, Florida.

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B. REFERENDUM(S) REQUIRED? Yes [ ] No [x ]

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached [x ] No [ ]

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached [x ] No [ ]

IV. COMMENTS:

According to the Economic Impact Statement, the bill will have no impact on government or the private sector. If a community redevelopment authority is established after January 1, 1998, it would not derive any tax increments (revenues) from the South Broward Hospital District.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VI. SIGNATURES:

COMMITTEE ON HEALTH CARE LICENSING & REGULATION:

Prepared by:

Staff Director:

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Robert W. Coggins

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Lucretia Shaw Collins