

502-192AX-32 Bill No. CS for CS for SB 1566, 1st Eng.
Amendment No. ____ (for drafter's use only)

Senate CHAMBER ACTION House

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ORIGINAL STAMP BELOW

Representative(s) Constantine offered the following:

Amendment to Amendment 553475 (with title amendment)

On page 12, between lines 9 and 10,

insert:

Section 2. Effective upon this act becoming a law,
section 163.055, Florida Statutes, is created to read:

163.055 Local Government Financial Technical
Assistance Program.--

(1) Among municipalities and special districts, the
Legislature finds that:

(a) Florida is a state comprised of 400 municipalities
and almost 1,000 special districts statewide.

(b) Of the 400 municipalities in the state, over 200
have a population under 5,000.

(c) State and federal mandates will continue to place
additional funding demands on all municipalities and special
districts.

(d) State government lacks the specific technical
expertise or resources to effectively perform ongoing

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1 educational support and financial emergency detection or
2 assistance.

3 (2) Recognizing the findings in subsection (1), the
4 Legislature declares that:

5 (a) The fiscal challenges confronting various
6 municipalities and special districts require an investment
7 that will facilitate efforts to improve the productivity and
8 efficiency of their financial structures and operating
9 procedures.

10 (b) Current and additional revenue enhancements
11 authorized by the Legislature should be managed and
12 administered using appropriate management practices and
13 expertise.

14 (3) The purpose of this section is to provide
15 technical assistance to municipalities and special districts
16 to enable them to implement workable solutions to financially
17 related problems.

18 (4) The Comptroller shall enter into contracts with
19 program providers who shall:

20 (a) Be a public agency or private, nonprofit
21 corporation, association, or entity.

22 (b) Use existing resources, services, and information
23 that are available from state or local agencies, universities,
24 or the private sector.

25 (c) Seek and accept funding from any public or private
26 source.

27 (d) Annually submit information to assist the
28 Legislative Committee on Intergovernmental Relations in
29 preparing a performance review that will include a analysis of
30 the effectiveness of the program.

31 (e) Assist municipalities and independent special

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- 1 districts in developing alternative revenue sources.
- 2 (f) Provide for an annual independent financial audit
3 of the program, if the program receives funding.
- 4 (g) Provide assistance to municipalities and special
5 districts in the areas of financial management, accounting,
6 investing, budgeting, and debt issuance.
- 7 (h) Develop a needs assessment to determine where
8 assistance should be targeted, and to establish a priority
9 system to deliver assistance to those jurisdictions most in
10 need through the most economical means available.
- 11 (i) Provide financial emergency assistance upon
12 direction from the Executive Office of the Governor pursuant
13 to s. 218.503.
- 14 (5)(a) The Comptroller shall issue a request for
15 proposals to provide assistance to municipalities and special
16 districts. At the request of the Comptroller, the Legislative
17 Committee on Intergovernmental Relations shall assist in the
18 preparation of the request for proposals.
- 19 (b) The Comptroller shall review each contract
20 proposal submitted.
- 21 (c) The Legislative Committee on Intergovernmental
22 Relations shall review each contract proposal and submit to
23 the Comptroller, in writing, advisory comments and
24 recommendations, citing with specificity the reasons for its
25 recommendations.
- 26 (d) The Comptroller and the Legislative Committee on
27 Intergovernmental Relations shall consider the following
28 factors in reviewing contract proposals:
- 29 1. The demonstrated capacity of the provider to
30 conduct needs assessments and implement the program as
31 proposed.

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1 2. The number of municipalities and special districts
2 to be served under the proposal.

3 3. The cost of the program as specified in a proposed
4 budget.

5 4. The short-term and long-term benefits of the
6 assistance to municipalities and special districts.

7 5. The form and extent to which existing resources,
8 services, and information that are available from state and
9 local agencies, universities, and the private sector will be
10 used by the provider under the contract.

11 (6) A decision of the Comptroller to award a contract
12 under this section is final and shall be in writing with a
13 copy provided to the Legislative Committee on
14 Intergovernmental Relations.

15 (7) The Comptroller may enter into contracts and
16 agreements with other state and local agencies and with any
17 person, association, corporation, or entity other than the
18 program providers, for the purpose of administering this
19 section.

20 (8) The Comptroller shall provide fiscal oversight to
21 ensure that funds expended for the program are used in
22 accordance with the contracts entered into pursuant to
23 subsection (4).

24 (9) The Legislative Committee on Intergovernmental
25 Relations shall annually conduct a performance review of the
26 program. The findings of the review shall be presented in a
27 report submitted to the Governor, the President of the Senate,
28 the Speaker of the House of Representatives, and the
29 Comptroller by January 15 of each year.

30 Section 3. Effective upon this act becoming a law,
31 paragraph (d) of subsection (7) of section 163.01, Florida

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1 Statutes, is amended to read:
2 163.01 Florida Interlocal Cooperation Act of 1969.--
3 (7)(d) Notwithstanding the provisions of paragraph
4 (c), any separate legal entity created pursuant to this
5 section and controlled by the municipalities or counties of
6 this state or by one or more municipality and one or more
7 county of this state, the membership of which consists or is
8 to consist of municipalities only, counties only, or one or
9 more municipality and one or more county, may, for the purpose
10 of financing or refinancing any capital projects, exercise all
11 powers in connection with the authorization, issuance, and
12 sale of bonds. Notwithstanding any limitations provided in
13 this section, all of the privileges, benefits, powers, and
14 terms of part I of chapter 125, part II of chapter 166, and
15 part I of chapter 159 shall be fully applicable to such
16 entity. Bonds issued by such entity shall be deemed issued on
17 behalf of the counties or municipalities which enter into loan
18 agreements with such entity as provided in this paragraph.
19 Any loan agreement executed pursuant to a program of such
20 entity shall be governed by the provisions of part I of
21 chapter 159 or, in the case of counties, part I of chapter
22 125, or in the case of municipalities and charter counties,
23 part II of chapter 166. Proceeds of bonds issued by such
24 entity may be loaned to counties or municipalities of this
25 state or a combination of municipalities and counties, whether
26 or not such counties or municipalities are also members of the
27 entity issuing the bonds. The issuance of bonds by such
28 entity to fund a loan program to make loans to municipalities
29 or counties or a combination of municipalities and counties
30 with one another for capital projects to be identified
31 subsequent to the issuance of the bonds to fund such loan

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1 programs is deemed to be a paramount public purpose. Any
2 entity so created may also issue bond anticipation notes, as
3 provided by s. 215.431, in connection with the authorization,
4 issuance, and sale of such bonds. In addition, the governing
5 body of such legal entity may also authorize bonds to be
6 issued and sold from time to time and may delegate, to such
7 officer, official, or agent of such legal entity as the
8 governing body of such legal entity may select, the power to
9 determine the time; manner of sale, public or private;
10 maturities; rate or rates of interest, which may be fixed or
11 may vary at such time or times and in accordance with a
12 specified formula or method of determination; and other terms
13 and conditions as may be deemed appropriate by the officer,
14 official, or agent so designated by the governing body of such
15 legal entity. However, the amounts and maturities of such
16 bonds and the interest rate or rates of such bonds shall be
17 within the limits prescribed by the governing body of such
18 legal entity and its resolution delegating to such officer,
19 official, or agent the power to authorize the issuance and
20 sale of such bonds. A local government self-insurance fund
21 established under this section may financially guarantee bonds
22 or bond anticipation notes issued or loans made under this
23 subsection. Bonds issued pursuant to this paragraph may be
24 validated as provided in chapter 75. The complaint in any
25 action to validate such bonds shall be filed only in the
26 Circuit Court for Leon County. The notice required to be
27 published by s. 75.06 shall be published only in Leon County,
28 and the complaint and order of the circuit court shall be
29 served only on the State Attorney of the Second Judicial
30 Circuit and on the state attorney of each circuit in each
31 county where the public agencies which were initially a party

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1 to the agreement are located. Notice of such proceedings shall
2 be published in the manner and the time required by s. 75.06
3 in Leon County and in each county where the public agencies
4 which were initially a party to the agreement are located.
5 Obligations of any county or municipality pursuant to a loan
6 agreement as described in this paragraph may be validated as
7 provided in chapter 75.

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10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 169, line 28, after the semicolon,

13
14 insert:

15 creating s. 163.055, F.S.; creating the Local
16 Government Financial Technical Assistance
17 Program; providing legislative findings and
18 declaration; requiring the Comptroller to enter
19 into certain contracts; providing for review of
20 contract proposals; providing for fiscal
21 oversight by the Comptroller; providing for an
22 annual performance review; providing for a
23 report; amending s. 163.01, F.S.; allowing
24 local government self-insurance reserves to be
25 used to guarantee local government obligations
26 under certain circumstances;

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