

1 A bill to be entitled
2 An act relating to municipalities and special
3 districts; creating s. 163.055, F.S.; creating
4 the Local Government Financial Technical
5 Assistance Program; providing legislative
6 findings and declaration; requiring the
7 Comptroller to enter into certain contracts;
8 providing for review of contract proposals;
9 providing for fiscal oversight by the
10 Comptroller; providing for an annual
11 performance review; providing for a report;
12 amending s. 163.01, F.S.; allowing local
13 government self-insurance reserves to be used
14 to guarantee local government obligations under
15 certain circumstances; providing an effective
16 date.

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

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20 Section 1. Section 163.055, Florida Statutes, is
21 created to read:

22 163.055 Local Government Financial Technical
23 Assistance Program.--

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

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

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

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

4 (d) State government lacks the specific technical
5 expertise or resources to effectively perform ongoing
6 educational support and financial emergency detection or
7 assistance.

8 (2) Recognizing the findings in subsection (1), the
9 Legislature declares that:

10 (a) The fiscal challenges confronting various
11 municipalities and special districts require an investment
12 that will facilitate efforts to improve the productivity and
13 efficiency of their financial structures and operating
14 procedures.

15 (b) Current and additional revenue enhancements
16 authorized by the Legislature should be managed and
17 administered using appropriate management practices and
18 expertise.

19 (3) The purpose of this section is to provide
20 technical assistance to municipalities and special districts
21 to enable them to implement workable solutions to financially
22 related problems.

23 (4) The Comptroller shall enter into contracts with
24 program providers who shall:

25 (a) Be a public agency or private, nonprofit
26 corporation, association, or entity.

27 (b) Use existing resources, services, and information
28 that are available from state or local agencies, universities,
29 or the private sector.

30 (c) Seek and accept funding from any public or private
31 source.

1 (d) Annually submit information to assist the
2 Legislative Committee on Intergovernmental Relations in
3 preparing a performance review that will include a analysis of
4 the effectiveness of the program.

5 (e) Assist municipalities and independent special
6 districts in developing alternative revenue sources.

7 (f) Provide for an annual independent financial audit
8 of the program, if the program receives funding.

9 (g) Provide assistance to municipalities and special
10 districts in the areas of financial management, accounting,
11 investing, budgeting, and debt issuance.

12 (h) Develop a needs assessment to determine where
13 assistance should be targeted, and to establish a priority
14 system to deliver assistance to those jurisdictions most in
15 need through the most economical means available.

16 (i) Provide financial emergency assistance upon
17 direction from the Office of the Governor pursuant to s.
18 218.503.

19 (5)(a) The Comptroller shall issue a request for
20 proposals to provide assistance to municipalities and special
21 districts. At the request of the Comptroller, the Legislative
22 Committee on Intergovernmental Relations shall assist in the
23 preparation of the request for proposals.

24 (b) The Comptroller shall review each contract
25 proposal submitted.

26 (c) The Legislative Committee on Intergovernmental
27 Relations shall review each contract proposal and submit to
28 the Comptroller, in writing, advisory comments and
29 recommendations, citing with specificity the reasons for its
30 recommendations.

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1 (d) The Comptroller and the Legislative Committee on
2 Intergovernmental Relations shall consider the following
3 factors in reviewing contract proposals:

4 1. The demonstrated capacity of the provider to
5 conduct needs assessments and implement the program as
6 proposed.

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

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

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

13 5. The form and extent to which existing resources,
14 services, and information that are available from state and
15 local agencies, universities, and the private sector will be
16 used by the provider under the contract.

17 (6) A decision of the Comptroller to award a contract
18 under this section is final and shall be in writing with a
19 copy provided to the Legislative Committee on
20 Intergovernmental Relations.

21 (7) The Comptroller may enter into contracts and
22 agreements with other state and local agencies and with any
23 person, association, corporation, or entity other than the
24 program providers, for the purpose of administering this
25 section.

26 (8) The Comptroller shall provide fiscal oversight to
27 ensure that funds expended for the program are used in
28 accordance with the contracts entered into pursuant to
29 subsection (4).

30 (9) The Legislative Committee on Intergovernmental
31 Relations shall annually conduct a performance review of the

1 program. The findings of the review shall be presented in a
2 report submitted to the Governor, the President of the Senate,
3 the Speaker of the House of Representatives, and the
4 Comptroller by January 15 of each year.

5 Section 2. Paragraph (d) of subsection (7) of section
6 163.01, Florida Statutes, is amended to read:

7 163.01 Florida Interlocal Cooperation Act of 1969.--

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

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

1 published by s. 75.06 shall be published only in Leon County,
2 and the complaint and order of the circuit court shall be
3 served only on the State Attorney of the Second Judicial
4 Circuit and on the state attorney of each circuit in each
5 county where the public agencies which were initially a party
6 to the agreement are located. Notice of such proceedings shall
7 be published in the manner and the time required by s. 75.06
8 in Leon County and in each county where the public agencies
9 which were initially a party to the agreement are located.
10 Obligations of any county or municipality pursuant to a loan
11 agreement as described in this paragraph may be validated as
12 provided in chapter 75.

13 Section 3. This act shall take effect upon becoming a
14 law.

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