

By Senators Kirkpatrick and Mitchell

5-986-99

1 A bill to be entitled
2 An act relating to local governments; creating
3 s. 163.055, F.S.; creating the Local Government
4 Financial Technical Assistance Program;
5 directing the Comptroller to enter into
6 contracts with program providers to assist
7 small municipalities and special districts in
8 financial and administrative matters; directing
9 the Legislative Committee on Intergovernmental
10 Relations to advise the Comptroller and conduct
11 performance reviews of the program; providing
12 an effective date.

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

16 Section 1. Section 163.055, Florida Statutes, is
17 created to read:

18 163.055 Local Government Financial Technical
19 Assistance Program.--

20 (1) Concerning municipalities and special districts,
21 the Legislature finds that:

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

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

26 (c) Projected revenue and expenditure trends of many
27 small municipalities and special districts indicate that a
28 serious fiscal condition has developed that could require a
29 number of municipalities and special districts to declare
30 financial emergencies.

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

4 (e) Millions of dollars are lost every year as many
5 primarily small local governments experience financial
6 deterioration, and many of those ultimately fall into
7 financial emergency status.

8 (f) State government lacks the specific technical
9 expertise or resources to effectively perform on-going
10 educational support and financial emergency detection or
11 assistance.

12 (2) Recognizing the findings in subsection (1), the
13 Legislature declares that:

14 (a) The fiscal emergencies confronting various
15 municipalities and special districts require an investment
16 that will facilitate efforts to improve the productivity and
17 efficiency of their financial structures and operating
18 procedures.

19 (b) Current and additional revenue enhancements
20 authorized by the Legislature should be managed and
21 administered using appropriate management practices and
22 expertise.

23 (3) The purpose of this section is to provide
24 technical assistance to municipalities and special districts
25 to enable them to implement workable solutions to financially
26 related problems.

27 (4) The Comptroller shall enter into contracts with
28 program providers who shall:

29 (a) Be a public agency or private, nonprofit
30 corporation, association, or entity.

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1 (b) Use existing resources, services, and information
2 that are available from state or local agencies, universities,
3 or the private sector.

4 (c) Seek and accept funding from any public or private
5 source.

6 (d) Annually submit information to assist the
7 Legislative Committee on Intergovernmental Relations in
8 preparing a performance review that will include an analysis
9 of the effectiveness of the program.

10 (e) Assist municipalities and special districts in
11 developing alternative revenue sources.

12 (f) Provide for an annual independent financial audit
13 of the program.

14 (g) Provide assistance to municipalities and special
15 districts in the areas of financial management, accounting,
16 investing, budgeting, and debt issuance.

17 (h) Develop a needs-assessment to determine where
18 assistance should be targeted, and establish a priority system
19 to deliver assistance to those jurisdictions most in need
20 through the most economical means available.

21 (i) Provide financial emergency assistance upon
22 direction from the Office of the Governor pursuant to s.
23 218.503.

24 (5)(a) The Comptroller shall issue a request for
25 proposals to provide assistance to municipalities and special
26 districts. At the request of the Comptroller, the Legislative
27 Committee on Intergovernmental Relations shall assist in the
28 preparation of the request for proposals.

29 (b) The Comptroller shall review each contract
30 proposal submitted.

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1 (c) The Legislative Committee on Intergovernmental
2 Relations shall review each contract proposal and submit to
3 the Comptroller, in writing, advisory comments and
4 recommendations, citing with specificity the reasons for its
5 recommendations.

6 (d) The Comptroller and the committee shall consider
7 the following factors in reviewing contract proposals:

8 1. The demonstrated capacity of the provider to
9 conduct needs-assessments and implement the program as
10 proposed.

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

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

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

17 5. The form and extent to which existing resources,
18 services, and information that are available from state and
19 local agencies, universities, and the private sector will be
20 used by the provider under the contract.

21 (6) A decision of the Comptroller to award a contract
22 under this section is final and shall be in writing with a
23 copy provided to the Legislative Committee on
24 Intergovernmental Relations.

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

30 (8) The Comptroller shall provide fiscal oversight to
31 ensure that funds expended for the program are used in

1 accordance with the contracts entered into pursuant to
2 subsection (4).

3 (9) The Legislative Committee on Intergovernmental
4 Relations shall annually conduct a performance review of the
5 program. The findings of the review shall be presented in a
6 report submitted to the Governor, the President of the Senate,
7 the Speaker of the House of Representatives, and the
8 Comptroller by January 15 of each year.

9 Section 2. This act shall take effect upon becoming a
10 law.

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12 SENATE SUMMARY

13
14 Creates the Local Government Financial Technical
15 Assistance Program to assist small municipalities and
16 special districts in financial and administrative
17 matters. Provides duties for the Comptroller and the
18 Legislative Committee on Intergovernmental Relations.
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