

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Kirkpatrick, Mitchell and Bronson

316-2023-99

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 independent special  
8           districts in financial and administrative  
9           matters; directing the Legislative Committee on  
10          Intergovernmental Relations to advise the  
11          Comptroller and conduct performance reviews of  
12          the program; providing an appropriation;  
13          providing an effective date.

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

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

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

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

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

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

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

1           (d) State and federal mandates will continue to place  
2 additional funding demands on all municipalities and  
3 independent special 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 independent special districts require an  
16 investment that will facilitate efforts to improve the  
17 productivity and efficiency of their financial structures and  
18 operating 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 independent special  
25 districts to enable them to implement workable solutions to  
26 financially 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 independent special**  
11 **districts in developing alternative revenue sources.**

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

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

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

22           **(i) Provide financial emergency assistance upon**  
23 **direction from the Office of the Governor pursuant to s.**  
24 **218.503.**

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

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1           (b) The Comptroller shall review each contract  
2 proposal submitted.

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

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

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

13           2. The number of municipalities and independent  
14 special districts to be served under the proposal.

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

17           4. The short-term and long-term benefits of the  
18 assistance to municipalities and independent special  
19 districts.

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

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

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

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

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

13 Section 2. There is appropriated from the General  
14 Revenue Fund to the Office of the Comptroller the sum of  
15 \$300,000 to implement the provisions of this act for Fiscal  
16 Year 1999-2000.

17 Section 3. This act shall take effect upon becoming a  
18 law.

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20 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
21 COMMITTEE SUBSTITUTE FOR  
22 Senate Bill 2162

23 Provides an appropriation of \$300,000 of general revenue to  
24 the Office of the Comptroller to implement the Local  
Government Financial Technical Assistance Program.

25 References to "special districts" are changed to "independent  
26 special districts" to clarify the units of local government  
that are eligible for assistance under the bill.

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