



1 (a) The governing body in each county that has a  
2 population of less than 800,000 residents may levy an indigent  
3 care surtax pursuant to an ordinance conditioned to take  
4 effect only upon approval by a majority vote of the electors  
5 of the county voting in a referendum. The surtax may be levied  
6 at a rate not to exceed 0.5 percent, except that if a publicly  
7 supported medical school is located in the county, the rate  
8 shall not exceed 1 percent.

9 (b) A statement that includes a brief and general  
10 description of the purposes to be funded by the surtax and  
11 that conforms to the requirements of s. 101.161 shall be  
12 placed on the ballot by the governing body of the county. The  
13 following questions shall be placed on the ballot:

14  
15 FOR THE. . . .CENTS TAX  
16 AGAINST THE. . . .CENTS TAX  
17

18 (c) Notwithstanding paragraph (a), the governing body  
19 in each county that has a population of fewer than 30,000  
20 residents may levy an indigent care surtax conditioned to take  
21 effect only upon approval by a majority vote of the electors  
22 of the county voting in a referendum. In addition to the uses  
23 otherwise set out in this subsection, a county that has a  
24 population of fewer than 30,000 residents may pledge such  
25 proceed for the purpose of servicing new or existing bond  
26 indebtedness incurred to finance, plan, construct, or  
27 reconstruct a public or not-for-profit hospital in such county  
28 and any land acquisition, land improvement, design, or  
29 engineering costs related thereto, when the county commission  
30 has determined that a currently existing public or  
31 not-for-profit hospital would, more likely than not, otherwise

1 cease to operate. Such counties may also use the services of  
2 the Division of Bond Finance of the State Board of  
3 Administration pursuant to the State Bond Act to issue bonds  
4 under this subsection. A jurisdiction may not issue bonds  
5 under this subsection more frequently than once per year. Any  
6 county that has a population of fewer than 30,000 residents at  
7 the time the bonds authorized in this subsection are issued  
8 retains the authority granted under this subsection throughout  
9 the term of the bonds, including the term of any refinancing  
10 bonds, regardless of any subsequent increase in population  
11 which results in the county's having 30,000 or more residents  
12 and regardless of amendments to or repeal of this subsection.  
13 The rate of the surtax levied under this paragraph may not  
14 exceed 1 percent.

15 (d)~~(c)~~ The ordinance adopted by the governing body  
16 providing for the imposition of the surtax must set forth a  
17 plan for providing health care services to qualified  
18 residents, as defined in paragraph(e)~~(d)~~. The plan and  
19 subsequent amendments to it shall fund a broad range of health  
20 care services for indigent persons and the medically poor,  
21 including, but not limited to, primary care and preventive  
22 care, as well as hospital care. It shall emphasize a  
23 continuity of care in the most cost-effective setting, taking  
24 into consideration a high quality of care and geographic  
25 access. Where consistent with these objectives, it shall  
26 include, without limitation, services rendered by physicians,  
27 clinics, community hospitals, mental health centers, and  
28 alternative delivery sites, as well as at least one regional  
29 referral hospital where appropriate. It shall provide that  
30 agreements negotiated between the county and providers shall  
31 include reimbursement methodologies that take into account the

1 cost of services rendered to eligible patients, recognize  
2 hospitals that render a disproportionate share of indigent  
3 care, provide other incentives to promote the delivery of  
4 charity care, and require cost containment, including, but not  
5 limited to, case management. The plan must also include  
6 innovative health care programs that provide cost-effective  
7 alternatives to traditional methods of service delivery and  
8 funding. In addition to the services otherwise authorized  
9 under this subsection, in counties having a population of  
10 fewer than 30,000 residents the plan for providing health care  
11 services to qualified residents may, by an extraordinary vote  
12 of the county commission, provide that some or all of the  
13 surtax revenues and any interest accrued thereon must be  
14 expended for the purpose of servicing bond indebtedness  
15 incurred to finance, plan, construct, or reconstruct a public  
16 or not-for-profit hospital in the county and for any land  
17 acquisition, land improvement, design, or engineering costs  
18 related thereto, if the county commission has determined that  
19 a currently existing public or not-for-profit hospital would,  
20 more likely than not, otherwise cease to operate.

21 (e)(d) As used in ~~For the purpose of~~ this subsection,  
22 the term "qualified residents" means residents of the  
23 authorizing county who are:

- 24 1. Qualified as indigent persons as certified by the  
25 authorizing county;
- 26 2. Certified by the authorizing county as meeting the  
27 definition of the medically poor, defined as persons having  
28 insufficient income, resources, and assets to provide the  
29 needed medical care without using resources required to meet  
30 basic needs for shelter, food, clothing, and personal  
31 expenses; not being eligible for any other state or federal

1 program or having medical needs that are not covered by any  
2 such program; or having insufficient third-party insurance  
3 coverage. In all cases, the authorizing county shall serve as  
4 the payor of last resort; or

5 3. Participating in innovative, cost-effective  
6 programs approved by the authorizing county.

7 (f)~~(e)~~ Moneys collected pursuant to this subsection  
8 remain the property of the state and shall be distributed by  
9 the Department of Revenue on a regular and periodic basis to  
10 the clerk of the circuit court as ex officio custodian of the  
11 funds of the authorizing county. The clerk of the circuit  
12 court shall:

13 1. Maintain the moneys in an indigent health care  
14 trust fund.

15 2. Invest any funds held on deposit in the trust fund  
16 pursuant to general law.

17 3. Disburse the funds, including any interest earned,  
18 to any provider of health care services, as provided in  
19 paragraphs (c) and (d), upon directive from the authorizing  
20 county.

21 4. Disburse the funds, including any interest accrued  
22 thereon, to service any bond indebtedness otherwise authorized  
23 in this section, upon a directive from the authorizing county,  
24 which directive may be irrevocably given at the time the bond  
25 indebtedness is incurred.

26 (g)~~(f)~~ Notwithstanding any other provision of this  
27 section, a county may not levy local option sales surtaxes  
28 authorized in this subsection and subsections (2) and (3) in  
29 excess of a combined rate of 1 percent or, if a publicly  
30 supported medical school is located in the county or the  
31

1 county has a population of fewer than 30,000 residents, in  
2 excess of a combined rate of 1.5 percent.

3 Section 2. Subsection (8) of section 336.025, Florida  
4 Statutes, is amended to read:

5 336.025 County transportation system; levy of local  
6 option fuel tax on motor fuel and diesel fuel.--

7 (8) In addition to the uses specified in subsection  
8 (7), the governing body of a county with a population of  
9 50,000 or less on April 1, 1992, or a municipality within such  
10 county, may use the proceeds of the tax levied pursuant to  
11 paragraph (1)(a) in any fiscal year to fund infrastructure  
12 projects, if such projects are consistent with the local  
13 government's approved comprehensive plan or, if the approval  
14 or denial of the plan has not become final, consistent with  
15 the plan last submitted to the state land planning agency. In  
16 addition, no more than an amount equal to the proceeds from 4  
17 cents per gallon of the tax imposed pursuant to paragraph  
18 (1)(a) may be used by such county for the express and limited  
19 purpose of paying for a court-ordered refund of special  
20 assessments. Except as provided in subsection (7), such funds  
21 shall not be used for the operational expenses of any  
22 infrastructure. Such funds may be used for infrastructure  
23 projects under this subsection only after the local  
24 government, prior to the fiscal year in which the funds are  
25 proposed to be used, or if pledged for bonded indebtedness,  
26 prior to the fiscal year in which the bonds will be issued,  
27 has held a duly noticed public hearing on the proposed use of  
28 the funds and has adopted a resolution certifying that the  
29 local government has met all of the transportation needs  
30 identified in its approved comprehensive plan or, if the  
31 approval or denial of the plan has not become final,

1 consistent with the plan last submitted to the state land  
2 planning agency. The proceeds shall not be pledged for bonded  
3 indebtedness for a period exceeding 10 years, except that, for  
4 the express and limited purpose of using such proceeds in any  
5 fiscal year to pay a court-ordered refund of special  
6 assessments, the proceeds may be pledged for bonded  
7 indebtedness not exceeding 15 years. For the purposes of this  
8 subsection, "infrastructure" has the same meaning as provided  
9 in s. 212.055.

10 Section 3. This act shall take effect October 1, 2002.

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
13 COMMITTEE SUBSTITUTE FOR  
14 CS for Senate Bill 1374

15 CS/CS/SB 1374 allows the proceeds of the indigent care surtax  
16 to finance, plan, construct, or reconstruct a not-for-profit  
17 hospital in addition to a public hospital; and allows  
18 municipalities within small counties to use revenues from a  
19 local option fuel tax to fund infrastructure projects that are  
20 consistent with the comprehensive plan.  
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