



1 A bill to be entitled

2 An act relating to Broward County; amending chapter 2000-
 3 461, Laws of Florida, relating to the Children's Services
 4 Council of Broward County; increasing the membership of
 5 the council; revising requirements concerning delivery of
 6 the written budget to Broward County; revising procedures
 7 concerning levying of ad valorem taxes; exempting the
 8 council from payment of fees, taxes, or incremental tax
 9 revenues to community redevelopment agencies; providing
 10 expenditure authority and procedures for budgeted funds up
 11 to \$5,000; authorizing expenditures by electronic wire
 12 transfers under specified procedures; providing effective
 13 dates.

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

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 17 Section 1. Effective October 1, 2004, section 3 of chapter
 18 2000-461, Laws of Florida, is amended to read:

19 Section 3. Membership.--Such council shall consist of 11
 20 ~~10~~ members, including:

21 (1) The senior administrator of the Broward County Health
 22 Department; the superintendent of schools; a local school board
 23 member, chosen by a majority of the School Board of Broward
 24 County; the district administrator from district X of the
 25 Department of Children and Family Services, or his or her
 26 designee who is a member of the Senior Management Service or of
 27 the Selected Exempt Service; one member of the County
 28 Commission, chosen by a majority of the Broward County Board of



29 County Commissioners; and a judge assigned to juvenile cases who
30 shall sit as a voting member of the board, except that said
31 judge shall not vote or participate in the setting of ad valorem
32 taxes under this section. The chief judge of the 17th judicial
33 circuit shall designate which judge shall serve on the board.
34 All of the proceeding members shall serve 4-year terms effective
35 January 2, 2001.

36 (2) The remaining five members shall be appointed by the
37 Governor, and shall, to the extent possible, represent the
38 demographic diversity of the population of Broward County. After
39 soliciting recommendations from the public, the Broward County
40 Board of County Commissioners shall submit to the Governor the
41 names of at least three persons for each vacancy occurring among
42 the five members to be appointed by the Governor, and the
43 Governor shall appoint members to the council from the
44 candidates nominated. The Governor shall make a selection within
45 a 45-day period or request a new list of candidates. All members
46 appointed by the Governor shall have been residents of the
47 county for the previous 24-month period. Such members shall be
48 appointed for 4-year terms, except that the length of the terms
49 of the initial appointees shall be for 2 years. The Governor may
50 remove a member for cause or upon the written petition of a
51 majority of the County Commission plus one. If any of the
52 members of the council required to be appointed by the Governor
53 under the provisions of this subsection shall resign, die, or be
54 removed from office, the vacancy thereby created shall, as soon
55 as practicable, be filled by appointment by the Governor, using
56 the same method as the original appointment, and such



57 | appointment to fill a vacancy shall be for the unexpired term of
58 | the person who resigns, dies, or is removed from office.

59 | Section 2. Section 5 of chapter 2000-461, Laws of Florida,
60 | is amended to read:

61 | Section 5. Fiscal Year.--

62 | (1) The fiscal year of the District shall be the same as
63 | that of Broward County.

64 | (2) On or before July 1 of each year, the Children's
65 | Services Council of Broward County shall prepare and adopt a
66 | tentative ~~an~~ annual written budget of its expected income and
67 | expenditures, including a contingency fund. The tentative annual
68 | written budget shall be ~~certified and~~ delivered to the Board of
69 | County Commissioners on or before July 1 of each year. Included
70 | in each tentative annual ~~certified~~ budget shall be an estimate
71 | of the millage rate necessary to be applied to raise the funds
72 | budgeted for expenditures, which millage rate shall not exceed a
73 | maximum of 50 cents for each \$1,000 of assessed valuation of all
74 | properties within the County which are subject to County taxes.
75 | The adopted annual budget and final millage rate shall be
76 | certified and delivered to the Board of County Commissioners
77 | within 15 days following the council's adoption of final budget
78 | and millage rate pursuant to chapter 200, Florida Statutes.

79 | (3) The budget of the Children's Services Council so
80 | certified and delivered to the Board of County Commissioners
81 | shall not be subject to change or modification by the Board of
82 | County Commissioners or any other authority.

83 | Section 3. Section 6 of chapter 2000-461, Laws of Florida,
84 | is amended to read:



85 Section 6. Levying of Ad Valorem Taxes.--In order to
86 provide funds for the Children's Services Council of Broward
87 County, the council may levy ad valorem taxes annually on all
88 taxable property in the County in an amount not to exceed one-
89 half mill, provided that the authority to levy such taxes has
90 been approved by a majority vote of the electors of the District
91 voting in the Countywide Election to be held in accordance with
92 the requirements of the constitution and the laws of Florida and
93 as set forth in this act. The council shall compute a proposed
94 millage rate within the voter-approved cap necessary to fund the
95 tentative budget and, prior to adopting a final budget, comply
96 with the provisions of section 200.065, Florida Statutes,
97 relating to the method of fixing millage, and shall fix the
98 final millage rate by resolution of the council. ~~The tax shall~~
99 ~~be assessed, levied, and collected in the same manner and at the~~
100 ~~same time as is provided by law of the levy, collection, and~~
101 ~~enforcement of collection of County taxes.~~ All tax money
102 collected under this act, as soon after the collection thereof
103 as is reasonably practicable, shall be paid directly to the
104 Children's Services Council by the Tax Collector of the County
105 and all other applicable County officials. Notwithstanding any
106 general law or special act to the contrary, the council shall
107 have an exemption from remitting to any community development
108 agency any fees, taxes, or incremental tax revenues attributable
109 to increased property valuations within each applicable
110 community redevelopment area. The moneys so received by the
111 Children's Services Council, shall be deposited in a special
112 bank account, shall be withdrawn only by checks signed by the



113 chair of the council and countersigned by one other member of
114 the council, who shall be so authorized by the council. The
115 chair and other member of the council who signs its checks shall
116 each give a surety bond in the amount of \$1,000 which bond shall
117 be conditioned that each shall faithfully discharge the duties
118 of their office. No other member of the council shall be
119 required to give bond or other security. No funds of the council
120 shall be expended except by check as aforesaid, except
121 expenditures of petty cash account which shall not at any time
122 exceed \$100. All expenditures from petty cash shall be recorded
123 on the books and records of the Children's Services Council. No
124 funds of the council, except the expenditure of petty cash or
125 issuance of checks made payable for sums no greater than \$5,000,
126 shall be expended without prior approval of the council, in
127 addition to the budgeting thereof. Budgeted expenditures of
128 \$5,000 or less that have not received prior council approval
129 shall only be authorized upon approval of the chief executive
130 officer of the council and shall be reported to the council by
131 written report on a monthly basis. For the purposes of this
132 section, electronic wire transfers shall be deemed checks if
133 written authorization for each wire transfer is obtained from
134 the council chair and by an authorized council member.

135 Section 4. Except as otherwise provided herein, this act
136 shall take effect upon becoming a law.