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A bill to be entitled

An act relating to the Indian River County Hospital District, Indian River County; codifying special laws relating to the district; providing legislative intent; amending, codifying, reenacting, and repealing chapters 61-2275, 63-1432, 65-1708, 67-1515, 67-1516, 71-688, 72-568, 74-499, 76-387, 84-451, 99-485, and 2002-345, Laws of Florida; providing district boundaries; providing definitions; providing for a board of trustees as the governing body of the district; prescribing the powers and duties of the board; providing for compensation and meetings of the board; providing for the incorporation of the sunshine law, the public records act, the election code, and the bidding requirements of chapters 255 and 287, Florida Statutes; authorizing the district to grant sovereign immunity to operators of Indian River Memorial Hospital, including Indian River Memorial Hospital, Inc.; authorizing the board to levy ad valorem tax within the district; providing for the purpose of the tax; providing for a method for such levy; exempting property of the district for assessment; providing for benefits for staff; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Indian River County Hospital District. It is the intent of the Legislature to provide a single comprehensive special act charter for the district including all current



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31 legislative authority granted to the district by its several  
 32 legislative enactments. It is further the intent of this act to  
 33 preserve all district authority.

34 Section 2. Chapters 61-2275, 63-1432, 65-1708, 67-1515,  
 35 67-1516, 71-688, 72-568, 74-499, 76-387, 84-451, 99-485, and  
 36 2002-345, Laws of Florida, are amended, codified, reenacted and  
 37 repealed as herein provided.

38 Section 3. The Indian River County Hospital District is  
 39 re-created and the charter is re-created and reenacted to read:

40 Section 1. District Creation; Boundaries. That the  
 41 special tax district now existing and known and designated as  
 42 "Indian River County Hospital District," as created and  
 43 incorporated by chapter 59-1385, Laws of Florida, and as  
 44 abolished, recreated, and reincorporated by chapter 61-2275,  
 45 Laws of Florida, shall embrace and include all that land and  
 46 area situated and being in Indian River County, Florida, within  
 47 the following territorial boundaries, to-wit:

48  
 49 Begin at the point where the South boundary line of  
 50 Indian River County, Florida, intersects the Atlantic  
 51 Ocean; thence run West along said South boundary line  
 52 to the Southwest corner of Section 31, Township 33  
 53 South, Range 36 East; thence run North along the range  
 54 line dividing Range 35 East and Range 36 East to the  
 55 Northeast corner of Township 33 South, Range 35 East;  
 56 thence run West along the North line of said Township  
 57 33 South to the Southwest corner of Section 31,  
 58 Township 32 South, Range 35 East; thence run North on  
 59 the line dividing Indian River County and Osceola  
 60 County to the South line of Township 31 South, Range



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61 35 East; thence run East along said South line of  
 62 Township 31 South to the Southeast corner of Section  
 63 31, Township 31 South, Range 35 East; thence run North  
 64 along the East line of Sections 31, 30, 19, 18, 7 and  
 65 6, all said sections being in Township 31 South, Range  
 66 35 East, to the North boundary line of Indian River  
 67 County; thence run East along said North boundary line  
 68 of Indian River County to the point where said line  
 69 intersects the medial line of the South Fork of the  
 70 St. Sebastian River; thence Northerly down the thread  
 71 of said stream to the main stream of the St. Sebastian  
 72 River; thence down the thread of the St. Sebastian  
 73 River to its confluence with the Indian River; thence  
 74 East to the intersection with the Southwesterly  
 75 extension of the center line of the approach channel  
 76 to the Sebastian inlet from the Indian River; thence  
 77 Northeasterly along said center line and continue  
 78 Northeasterly and Easterly along the center line of  
 79 the Sebastian inlet to the Atlantic Ocean; thence run  
 80 Southerly along and following the Easterly boundary  
 81 line of Indian River County, Florida, to the point of  
 82 beginning.

83  
 84 Section 1.1. Definitions. The following words and terms,  
 85 unless the context clearly indicates a different meaning, shall  
 86 have the following meanings:

87 (1) "District" means the Indian River County Hospital  
 88 District, a special tax district located in Indian River County,  
 89 Florida, created and incorporated by chapter 61-2275, Laws of  
 90 Florida, as amended.



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91           (2) "Health facility" or "health facilities" means a  
 92 building, structure, or unit or any improvement to real  
 93 property, including all necessary or usual attendant and related  
 94 equipment, facilities, or fixtures, or any part or parts  
 95 thereof, or any combination or combinations thereof, including,  
 96 but not limited to, a general hospital, psychiatric hospital,  
 97 ambulatory clinic or center, chronic disease hospital,  
 98 rehabilitation hospital, urgent care center, extended care and  
 99 intermediate care facility, nursing home, life-care facility  
 100 dispensary, laboratory, laundry, administration building,  
 101 research facility, maintenance facility, storage facility,  
 102 medical office buildings, conference centers, physical fitness  
 103 centers, or any other related facility, including parking and  
 104 other facilities necessary or desirable for the orderly  
 105 operation of a health facility, also including equipment and  
 106 machinery and other similar items necessary or convenient for  
 107 the operation of a health facility in the manner for which its  
 108 use is intended, or items of equipment which are necessary or  
 109 desirable for the operation of a health facility, or any  
 110 combination thereof, but shall not include such items as fuel,  
 111 supplies, or other items which are customarily deemed to result  
 112 in a current operating charge.

113           (3) "Health and medical services" shall mean items or  
 114 services provided by or under the supervision of a physician or  
 115 other person trained or licensed to render health care necessary  
 116 for the prevention, care, diagnosis, or treatment of human  
 117 disease, pain, injury, deformity, or other physical or mental  
 118 condition, including, but not limited to, preadmission,  
 119 outpatient, inpatient and postdischarge care, home care,  
 120 physician's care, nursing care, extended care, intermediate



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121 care, urgent care, emergency care, and medical care provided by  
 122 interns or residents-in-training and other paramedical care,  
 123 ambulance service, bed and board, drugs, biologicals, supplies,  
 124 appliances, equipment, laboratory services, x-ray, radium, and  
 125 radioactive isotope therapy, and billing and collection  
 126 services.

127 (4) "Cost" means the sum total of all or any part of costs  
 128 incurred or estimated to be incurred by the district or by a  
 129 health facility which are reasonable and necessary for carrying  
 130 out all works and undertakings and providing all necessary or  
 131 desirable equipment for the development of a health facility,  
 132 exclusive of the amount of any private or federal, state, or  
 133 local financial assistance for and received by a health facility  
 134 for the payment of such cost. Such costs shall include, but are  
 135 not necessarily limited to, interest prior to, during, and for a  
 136 cost of operation and maintenance during the construction period  
 137 and for a reasonable additional period thereafter, the cost of  
 138 necessary studies, surveys, plans and specifications,  
 139 architectural, engineering, legal or other special services, the  
 140 cost of acquisition of land, buildings, and improvements  
 141 thereon, including payments for the relocation of persons  
 142 displaced by such acquisition, site preparation and development,  
 143 construction, reconstruction, equipment, including fixtures,  
 144 equipment, and cost of demolition and removal, and articles of  
 145 personal property required, the reasonable cost of financing  
 146 incurred in the course of the development of the health  
 147 facility, reserves for debt service, the fees imposed by the  
 148 district, other fees charged, and necessary expenses incurred in  
 149 connection with the initial occupancy of the health facility,  
 150 and the cost of such other items as may be reasonable and



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151 necessary for the development of a health facility.

152 (5) "General obligation bonds" means bonds of the district  
 153 issued hereunder, which are secured by the levy of ad valorem  
 154 taxes and which may be issued only after the same have been  
 155 approved by the majority of votes cast in an election of the  
 156 qualified voters residing in the district.

157 (6) "Revenue bonds" means bonds of the district issued  
 158 hereunder, payable solely out of the revenues derived by the  
 159 district from the sale, operation, or leasing of any health  
 160 facility or facilities.

161 (7) "Bonds" means all bonds, notes, or other obligations  
 162 of the district issued hereunder.

163 (8) "State" means the State of Florida.

164 Section 2. Authority. The board of trustees is authorized  
 165 and empowered to establish, construct, purchase, operate,  
 166 maintain, and lease, as lessee or lessor, such health facilities  
 167 in or through which the district provides health and medical  
 168 services as in its opinion are necessary and desirable for the  
 169 use of the people of the district. The health facilities in or  
 170 through which the district provides health and medical services  
 171 which may be purchased, established, constructed, operated,  
 172 maintained, and leased by or through or from the board of  
 173 trustees shall be for the preservation of the public health, and  
 174 for the public good and for the use of the public of the  
 175 district. Maintenance of such health facilities in or through  
 176 which health and medical services are provided within the  
 177 district is found and declared to be a public purpose and  
 178 necessary for the preservation of the public health and public  
 179 use and for the welfare of the district and the inhabitants  
 180 thereof. The location of such health facilities shall be



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181 determined by the board. The trustees may assume and agree to  
182 pay any outstanding indebtedness, obligations, or contracts in  
183 connection with any health facilities in or through which health  
184 and medical services are provided. The board of trustees is  
185 further authorized and empowered to expend district funds for  
186 any purposes related to or supportive of the authorized  
187 activities of the district. The powers granted to the board of  
188 trustees herein are in addition to those granted by the general  
189 law of the state.

190 Section 2.1. (1) The board of trustees is authorized and  
191 empowered to enter into contracts or agreements for the purpose  
192 of operating and managing any such health facilities in or  
193 through which the district provides health and medical services.

194 (2) The board of trustees is authorized and empowered to  
195 enter into financing agreements, to lease, as lessee or lessor,  
196 any such health facilities in which the district provides or  
197 proposes to provide health and medical services, or any land or  
198 property of the district. Any financing agreement to secure  
199 bonds of the district shall require that the other party to the  
200 financing agreement shall be a governmental unit or nonprofit  
201 corporation qualified under Section 501(c)(3) of the United  
202 States Internal Revenue Code of 1954, as amended, and exempt  
203 from federal income taxes under Section 501(a) or a successor  
204 provision thereto, and that such health facilities in or through  
205 which the district, prior to entering into the financing  
206 agreement, shall be returned to the district upon the  
207 termination of the financing agreement, or the dissolution of  
208 the nonprofit corporation.

209 (3) The board of trustees shall determine the terms of  
210 such financing agreements, contracts, or agreements, and the



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211 conditions, covenants, and agreements to be contained therein.

212 (4) The board of trustees is authorized and empowered to  
 213 from time to time sell such rights in real or personal property  
 214 or other portions of any health facilities as the district by  
 215 resolution determines are no longer useful in connection with  
 216 such health facilities and the health and medical services  
 217 provided therein.

218 (5) The board of trustees is authorized and empowered to  
 219 enter into in interlocal agreement pursuant to Florida  
 220 Interlocal Cooperation Act of 1969, as amended from time to  
 221 time, and may thereby exercise jointly with any other public  
 222 entity in the state any power, privilege, or authority which any  
 223 such entity shares in common with the district and which each  
 224 might exercise separately.

225 (6) Prior to any decision to sell all or substantially all  
 226 of the facilities which make up Indian River Memorial Hospital,  
 227 the district shall cause a referendum to be held at which the  
 228 electors of Indian River County shall have the opportunity to  
 229 express their approval or disapproval of the proposed sale. The  
 230 referendum shall be held in accordance with:

231 (a) The bond referendum procedure set forth in chapter 100  
 232 and chapter 101, Florida Statutes;

233 (b) The procedure for a mail ballot referendum set forth  
 234 in section 101.6101, Florida Statutes; or

235 (c) Any other comparable procedure set forth in then  
 236 existing Florida law.

237  
 238 The specific procedure to be utilized shall be determined by the  
 239 district in the resolution calling for such referendum. The  
 240 result of the referendum shall be binding upon the district.





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241 Nothing herein shall prevent the district from changing minor  
 242 details of the proposed sale following the referendum, provided  
 243 the district determines that such changes are in the best  
 244 interest of the residents of Indian River County.

245 (7) The board of trustees is authorized and empowered to  
 246 grant sovereign immunity to Indian River Memorial Hospital,  
 247 Inc., and its affiliates under the terms of its current lease  
 248 and any renewals of the lease with the district, and to compel  
 249 Indian River Memorial Hospital, Inc., and its affiliates to  
 250 waive sovereign immunity in accordance with the provisions of  
 251 section 768.28, Florida Statutes, as amended from time to time.

252 The board of trustees is also authorized and empowered to grant  
 253 sovereign immunity to any not-for-profit entity and its  
 254 affiliates appointed by the board of trustees to operate Indian  
 255 River Memorial Hospital under any future lease, and to require  
 256 such entity and its affiliates to waive sovereign immunity in  
 257 accordance with the provisions of section 768.28, Florida  
 258 Statutes, as amended from time to time. Only for the purposes  
 259 of this provision of the act, Indian River Memorial Hospital,  
 260 Inc., and its affiliates, and such other not-for-profit entity  
 261 and its affiliates, shall be considered an agent of the  
 262 district.

263 Section 3. Governing Body; Elections. The governing body  
 264 of the Indian River County Hospital District shall consist of  
 265 seven trustees who shall be qualified electors and freeholders  
 266 residing in said district. The board of trustees elected at the  
 267 general election in 1964 shall remain in office until the  
 268 expiration of their terms. At the general election to be held  
 269 in 1966, three trustees shall be elected for 4-year terms. At  
 270 subsequent general elections, the trustees shall be elected for



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271 4-year terms so that four trustees are elected at one general  
272 election and three trustees are elected at the next ensuing  
273 general election. The trustees so elected shall serve for a  
274 term of 4 years and until their successors are elected and  
275 qualified.

276 The election of the trustees shall be conducted in  
277 accordance with the Florida Election Code and the Uniform  
278 Special District Accountability Act of 1989, as each is amended  
279 from time to time, provided, however, that a candidate may  
280 qualify by submitting a petition that contains the signatures of  
281 at least 25 of the district's registered electors.

282 Each trustee shall give bond to the Governor of the State  
283 of Florida for the faithful performance of his or her duties in  
284 the sum of \$5,000 with a surety company qualified to do business  
285 in the State of Florida as surety, which bond shall be approved  
286 and kept by the Clerk of the Circuit Court of Indian River  
287 County, Florida. The premiums on said bonds shall be paid as  
288 part of the expenses of said district.

289 Section 4. Additional Authority. The board of trustees of  
290 said Indian River County Hospital District shall have all the  
291 powers of a body corporate, including the power to contract and  
292 be contracted with; to adopt and use a common seal, and to alter  
293 the same at pleasure; to acquire, purchase, hold, lease, as  
294 lessee or lessor, sell, and convey by financing agreement,  
295 lease, deed, or other instrument of conveyance real and personal  
296 property; and to perform such other acts as said board may deem  
297 proper or expedient to carry out the purposes of this act, and  
298 the power to sue and be sued under the name of the Indian River  
299 County Hospital District, provided, however, that all suits  
300 against said board of trustees shall be begun only in Indian



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301 River County, regardless of the location of any property  
302 involved in the litigation and regardless of where the cause of  
303 action accrued. The board is authorized to provide for the  
304 management of health facilities of the district, and may employ  
305 administrators, a chief surgeon, pathologist, radiologist, and  
306 such other specialists, agents, and employees as said board may  
307 deem advisable. The board shall have power to borrow money and  
308 to issue the notes, bonds, and other evidences of said district  
309 therefor to carry out the provisions of this act in the manner  
310 hereinafter provided. The trustees of said board shall have the  
311 authority and the power to make contracts extending beyond their  
312 terms of office. The powers granted to the board of trustees  
313 herein are in addition to those granted by the general law of  
314 the state.

315 If, in the absolute opinion of the board, adequate  
316 emergency ambulance service is not supplied and maintained in  
317 the district by private or volunteer ambulance companies or  
318 associations, then the board shall have the authority and power  
319 to provide, maintain, and operate emergency ambulance services  
320 within the area of the district and to prescribe rules and  
321 regulations for the operation and use of such ambulances and to  
322 charge such fee for the use of such facilities as it might  
323 determine. The board is further authorized and empowered to  
324 secure and keep in force, in companies duly authorized to do  
325 business in Florida, insurance covering liability for damages on  
326 account of bodily injury, death, or property damage, in such  
327 amounts as the board may determine, resulting from the operation  
328 of such ambulances or by reason of the ownership, maintenance,  
329 operation, or use of such ambulances.

330 Section 5. Organization of Board. The trustees shall



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331 organize the board of said district, at their regular meeting  
 332 held in January of each year, by the election of one of their  
 333 members as chair, one as vice chair, one as secretary, and one  
 334 as treasurer, and by the election of such other officers as they  
 335 deem necessary.

336 Section 6. Meetings; Sunshine Law. The board of trustees  
 337 shall hold regular meetings for the transaction of business  
 338 according to a schedule arranged by the board of trustees and  
 339 shall convene in special sessions when called by the chair of  
 340 the board or by a majority of the trustees of the board,  
 341 provided that actions taken at special meetings shall have the  
 342 same force and effect as if taken at a regular meeting. All  
 343 meetings of the board of trustees, including notices and minutes  
 344 relating thereto, shall be governed by chapter 286, Florida  
 345 Statutes, including those provisions commonly referred to as the  
 346 Florida Government in the Sunshine Law, and the Uniform Special  
 347 District Accountability Act of 1989, as each is amended from  
 348 time to time.

349 Section 7. Quorum; Public Records. Four of said trustees  
 350 shall constitute a quorum, and an affirmative vote of at least  
 351 three of said trustees shall be necessary to the transaction of  
 352 any business of the district. The trustees shall cause true and  
 353 accurate minutes and records to be kept of all business  
 354 transacted by them, and shall keep full, true, and complete  
 355 books of accounts and minutes. The district shall comply with  
 356 chapter 119, Florida Statutes, commonly referred to as the  
 357 Florida Public Records Act, as amended from time to time.

358 Section 8. Travel Expenses. The trustees under this act,  
 359 the employees of the district, and other authorized travelers  
 360 shall be paid per diem and travel expenses provided in section



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361 112.061, Florida Statutes, as amended from time to time, to be  
362 substantiated by paid bills therefor.

363 Section 9. Expenses. The board is authorized to pay from  
364 the funds of the district all expenses of the organization of  
365 said board and all expenses necessarily incurred in the  
366 formation of said district and all other reasonable and  
367 necessary expenses, including the fees and expenses of any  
368 attorney in the transaction of the business of the district and  
369 in carrying out and accomplishing the purposes of this act.

370 This section, however, shall not be construed to limit or  
371 restrict any of the powers vested in said board of trustees by  
372 any other section or provision of this act.

373 Section 10. Vacancies. Vacancies in the board of trustees  
374 occasioned by resignations, removals, or otherwise shall be  
375 reported to the Governor of the state, who shall fill such  
376 vacancies by appointment within 45 days after the occurrence  
377 thereof. Any vacancies not so filled within such time shall  
378 remain vacant until the next general election, and at such  
379 general election the vacancies shall be filled by the election  
380 of a trustee to serve for the remainder of the term in which  
381 such vacancy occurred. Any appointments made by the Governor to  
382 fill vacancies shall hold office until the next general  
383 election, and at such general election the vacancies shall be  
384 filled by the election of a trustee to serve for the remainder  
385 of the term in which the vacancy occurred.

386 Section 11. Rules and Regulations. The board of trustees  
387 of the Indian River County Hospital District is further  
388 authorized and empowered to establish reasonable rules and  
389 regulations to govern the operation of district-owned or  
390 district-operated health facilities in or through which the



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391 district provides health and medical services and to govern and  
392 control the conduct of all employees, patients, private duty  
393 nurses, sitters, guests and visitors, and any other parties or  
394 persons who are, in any manner, upon or using the premises and  
395 facilities of the district health facilities, so that the health  
396 and welfare of the patients and the best interest of the  
397 district will at all times be served.

398 Section 12. Medical Staff.

399 (1) In the management of such hospital, no discrimination  
400 shall be made against any medical doctors, commonly known as  
401 MD's, duly licensed to practice materia medica in the state, and  
402 graduate dentists licensed to practice in the state, and who  
403 shall qualify under the bylaws, rules, and regulations  
404 established by the board and under the bylaws of the medical  
405 staff as approved by the board, and all such regular medical  
406 doctors and dentists shall have equal privileges in treating  
407 patients in said hospital. The patient shall have the right to  
408 employ, at his or her own expense, his or her own medical doctor  
409 or dentist, so qualified as aforesaid, and when acting for any  
410 patient in such hospital, such medical doctor or dentist  
411 employed by such patient shall have exclusive charge of the care  
412 and treatment of such patient, and nurses therein as to such  
413 patient shall be subject to the direction of said medical  
414 doctor, subject always to such general rules and regulations as  
415 shall be established by the board of trustees under the  
416 provisions of this act.

417 (2) The board of trustees shall organize a staff of  
418 medical doctors and dentists of every practicing medical doctor  
419 and dentist who shall qualify under the rules and regulations  
420 established by the board. The board of trustees is hereby



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421 authorized and empowered to establish reasonable rules,  
422 regulations, and bylaws to govern said staff, and the members  
423 thereof, and to prescribe and establish in said rules,  
424 regulations, and bylaws reasonable duties and responsibilities  
425 for the staff, and member thereof, so that the welfare and  
426 health of the patients and the best interests of the hospital  
427 may at all times be best served. It shall be the duty of said  
428 staff to organize in a manner prescribed by the said board so  
429 that there shall be a rotation of service among the members of  
430 said staff to give proper medical and surgical attention to the  
431 indigent sick, injured, or maimed who may be admitted to said  
432 hospital for treatment.

433 (3) The board of trustees is hereby authorized and  
434 empowered to grant or refuse, revoke, or suspend membership on  
435 the said staff, and to grant or refuse, revoke, or suspend any  
436 privileges attendant to such membership so that the welfare and  
437 health of the patients and the best interests of the district  
438 may at all times be best served, provided, further, that:

439 (a) The board of trustees is hereby authorized and  
440 empowered to require members of the staff to abide by all  
441 reasonable rules, regulations, and bylaws established by the  
442 board of trustees under the authorization of this act, and to  
443 require the performance of those duties and responsibilities  
444 prescribed by said rules, regulations, and bylaws, and to  
445 enforce such requirements by the revocation or suspension of  
446 staff membership and privileges, under the terms of this act.

447 (b) The board of trustees shall adopt rules and bylaws  
448 providing the procedure for considering the refusal, revocation,  
449 or suspension of staff membership of any person, or suspension  
450 or modification of privileges attendant to such membership. The



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451 procedure adopted shall afford due process to the parties and  
452 shall provide for an orderly, fair, and impartial proceeding.

453 (c) In those instances when the board of trustees, under  
454 its rules or bylaws, considers the refusal, revocation, or  
455 suspension of staff membership of any person, or suspension or  
456 modification of privileges which are attendant to such  
457 membership, the vote of five of the seven trustees shall be  
458 required to revoke, suspend, or modify staff membership or  
459 privileges of any staff member for any reason whatsoever or to  
460 refuse to grant staff membership to any practitioner. The right  
461 of judicial review shall at all times be preserved.

462 Section 13. Bank Accounts; Investments; Procurement of  
463 Personal Property or Services.

464 (1) The board of trustees shall designate a bank or banks,  
465 or other depository or depositories, to receive and be custodian  
466 of all the moneys received by the board for the operation and  
467 maintenance of health facilities within the district. The board  
468 of trustees, pursuant to chapter 218, Florida Statutes, as  
469 amended, is authorized and empowered, as the board of a special  
470 district of the state, to invest district surplus funds, as  
471 defined in that chapter, as it now exists and as it may be  
472 amended from time to time. The board of trustees shall also  
473 have the power to delegate its authority to invest these surplus  
474 funds, as outlined above, to a national or State of Florida  
475 banking organization acting pursuant to a written trust  
476 agreement as a trustee of district funds, provided that such  
477 delegation is made in writing by the board of trustees.

478 (2) The funds of the district shall be paid out only upon  
479 warrants signed as the trustees may in their bylaws, rules, and  
480 regulations provide, provided that no warrant shall be drawn or





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481 issued against funds of the district except for a purpose  
482 authorized by this act. All funds of the district paid out by  
483 warrants as described above shall be approved by the board of  
484 trustees. The board may by resolution provide for such special  
485 accounts as the board may deem desirable, and may designate the  
486 persons authorized to draw on such special accounts in advance  
487 of approval by a majority of the board.

488 (3) All purchases or procurement of personal property or  
489 services shall be made in accordance with chapter 287, Florida  
490 Statutes, as amended from time to time.

491 Section 13.1. Construction or Repairs. All contracts  
492 concerning any construction, improvement, or repair to any  
493 facility or property owned or leased by the district shall be  
494 entered into in accordance with the procedure set forth in  
495 chapter 255, Florida Statutes, as amended from time to time.

496 Section 14. Ad Valorem Taxes; Additional Authority.

497 (1) It shall be the duty of the board of trustees and the  
498 said board is hereby authorized and empowered to annually assess  
499 and levy against the taxable property within the district a  
500 special tax not to exceed 5 mills on the dollar to be collected  
501 and paid into the district fund and used by said board of  
502 trustees for:

503 (a) First, to pay the interest and to provide and maintain  
504 a sinking fund for the payment of the interest and principal of  
505 the ad valorem bonds provided for and authorized by section 17  
506 of this act, and any other ad valorem bonds which may be assumed  
507 by said board;

508 (b) Second, to pay any outstanding indebtedness incurred  
509 as authorized in section 16 of this act; and

510 (c) Third, to purchase, lease, as lessee or lessor,



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511 operate, maintain, and repair health facilities established as  
 512 authorized by this act, and to pay other expenses reasonably  
 513 related to, or supportive of, the authorized activities of the  
 514 district.

515 (2) The board of trustees shall be authorized and  
 516 empowered:

517 (a) To declare accounts receivable, including charity  
 518 accounts, uncollectible and to write such accounts off the  
 519 active books of the financial records of the district as bad  
 520 debts. The board of trustees is further authorized to destroy  
 521 the account records of those accounts declared to be bad debts,  
 522 but such records shall not be destroyed earlier than 4 years  
 523 after the annual private audit of the district reflecting such  
 524 write-off;

525 (b) To compromise and settle any accounts receivable or  
 526 other claim for money due and owing to the district according to  
 527 such terms and conditions as the board of trustees, in its  
 528 discretion, may determine;

529 (c) To sell, assign, or convey to any person the right,  
 530 title, and interest in any account receivable or judgment owned  
 531 by the district by full or part payment of such account or  
 532 judgment as the board of trustees, in its discretion, may  
 533 determine; and

534 (d) At the discretion of the board, to provide for the  
 535 payment of hospital and nursing home expenses for patients  
 536 transferred from health facilities of the district to such other  
 537 institutions at the district's request, provided that said  
 538 patients shall be first certified to be medically indigent by  
 539 the Indian River County Hospital District, based upon the  
 540 definition and standards used by the State of Florida Department



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541 of Health.

542 (3) All acts and procedures of the board of trustees  
 543 relative to subparagraphs (2)(a), (b), and (c) are hereby  
 544 validated retroactively to June 23, 1971.

545 Section 14.1. Non-Ad Valorem Revenues. The district is  
 546 authorized to fix, revise, charge, and collect rates, rents,  
 547 fees, and charges for the use of its health facilities and for  
 548 the health and medical services furnished or to be furnished in  
 549 each health facility and to contract with any person,  
 550 partnership, association or corporation, or other body, public  
 551 or private, in respect thereof. Such rates, rents, fees, and  
 552 charges shall be fixed and adjusted in respect of the aggregate  
 553 of rents, rates, fees, and charges from such health facility so  
 554 as to provide funds at least sufficient with other revenues or  
 555 moneys, if any:

556 (1) To pay the cost of maintaining, repairing, and  
 557 operating the health facility and each and every portion  
 558 thereof, to the extent that the payment of such cost has not  
 559 otherwise been adequately provided for;

560 (2) To pay the principal of and interest on outstanding  
 561 revenue bonds of the district issued in respect of such health  
 562 facility as the same shall become due and payable; and

563 (3) To create and maintain reserves required or provided  
 564 for in any resolution authorizing, or trust agreement securing,  
 565 such revenue bonds of the district.

566 Section 15. Levy of Ad Valorem Taxes. Levy by said board  
 567 of taxes authorized by any provision of this act shall be by  
 568 resolution of said board duly entered upon the minutes of the  
 569 board. Certified copies of such resolution executed in the name  
 570 of the board by its chair, under its corporate seal, shall be



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571 made and delivered to the Board of County Commissioners of  
 572 Indian River County, Florida, the Property Appraiser of Indian  
 573 River County, Florida, the Tax Collector of Indian River County,  
 574 Florida, and the Department of Revenue of the state, within the  
 575 time as may be specified by the laws of the state. It shall be  
 576 the duty of the County Commissioners of Indian River County to  
 577 order and require the Property Appraiser of said County to  
 578 assess, and the County Tax Collector of said County to collect,  
 579 the amount of taxes so assessed or levied by the board of  
 580 trustees of said Indian River County Hospital District upon the  
 581 taxable property in said district, at the rate of taxation  
 582 adopted by said board of trustees of said district for said year  
 583 and included in the warrant of the Property Appraiser and  
 584 attached to the assessment roll of taxes for said County each  
 585 year. The Tax Collector shall collect such tax so levied by  
 586 said board in the same manner as other taxes are collected, and  
 587 shall pay the same over to the board of trustees of Indian River  
 588 County Hospital District within the time and in the manner  
 589 prescribed by law for the payment by the Tax Collector of county  
 590 taxes to the County depository. The assessment and levy of ad  
 591 valorem taxes on the railroad lines and railroad property, and  
 592 on the telegraph lines, telegraph property, and telephone lines  
 593 situated or located in said district, shall be in accordance  
 594 with general law. If any such taxes so assessed are not paid,  
 595 the said property shall be by said Tax Collector sold and  
 596 certificates issued and tax deeds issued in the same manner and  
 597 under the same laws relating to sales, issuance of certificates,  
 598 and deeds with reference to all other state and county taxes.  
 599 All such taxes shall be held by said board of trustees and paid  
 600 out of them as provided in this act.



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601 Section 16. Tax Anticipation Financing. The board of  
 602 trustees of the Indian River County Hospital District is  
 603 authorized to borrow in any 1 tax year, calendar year, a sum not  
 604 to exceed 80 percent of the estimated taxes to be collected on  
 605 behalf of the district within such year and to evidence such  
 606 loan made to the district by its tax anticipation note or notes  
 607 bearing interest at a rate not to exceed the maximum rate  
 608 permissible under Florida law. Such notes shall be payable at a  
 609 time not greater than 1 year from the date of the borrowing of  
 610 such moneys. The sums so borrowed shall be repaid together with  
 611 interest at a rate not to exceed the maximum rate permissible  
 612 under Florida law. No sums shall be borrowed as herewith  
 613 provided in any subsequent year unless all moneys so borrowed in  
 614 any preceding year shall have been entirely paid as to both  
 615 principal and interest.

616 Section 16.1. Personal Property Acquisition Financing.

617 (1) The board of trustees of the Indian River County  
 618 Hospital District is hereby authorized and empowered, in order  
 619 to acquire and finance the acquisition of capital assets in the  
 620 form of personal property, to borrow money from time to time for  
 621 periods not exceeding 10 years at any one time, from a bank,  
 622 banks, banking institutions, or other lending institutions, from  
 623 local, state, or federal government agencies, or as part of a  
 624 pooled financing from designated lenders, and to repay such  
 625 financing on an amortized, monthly or yearly basis, and to issue  
 626 a note or notes of the district or enter into financing  
 627 agreements, or loan or lease arrangements, on such terms and  
 628 rates of interest, not to exceed the maximum rates permissible  
 629 under Florida law.

630 (2) For any loans procured pursuant to subsection (1), the



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631 board of trustees of said district is further authorized and  
 632 empowered to secure a note or notes, lease, or loan arrangements  
 633 by executing such security instruments or lease instruments as  
 634 may be permitted by law if required by said lending institution  
 635 or institutions, pledging as security the equipment acquired  
 636 through the financing under this section.

637 (3) Any amounts borrowed under subsection (1) shall be  
 638 repaid solely and exclusively from nontax revenues and shall not  
 639 be construed to be a part of or fall within the limitations of  
 640 section 16, but shall be in addition thereto.

641 Section 16.2. Revenue Bonds.

642 (1) The board of trustees of the district is authorized  
 643 and empowered by resolution to issue and sell from time to time  
 644 negotiable revenue bonds of the district for the purpose of  
 645 raising funds to pay all or any part of the costs of any health  
 646 facility or facilities and to provide such health and medical  
 647 services as in its opinion are necessary or desirable in the  
 648 district. In anticipation of the sale of such revenue bonds,  
 649 the board of trustees of the district is authorized and  
 650 empowered by resolution to issue negotiable bond anticipation  
 651 notes and may renew the same from time to time, but the maximum  
 652 maturity of any such note, including renewals thereof, shall not  
 653 exceed 7 years from the date of issue of the original note.  
 654 Such notes shall be paid from any revenues of the district  
 655 available therefor and not otherwise pledged or from the  
 656 proceeds of the sale of revenue bonds of the district in  
 657 anticipation of which they were issued.

658 (2) The revenue bonds and notes of every issue shall be  
 659 payable solely out of the revenues derived by the district from  
 660 the sale, operation, or leasing of any health facility or



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661 facilities, subject only to any agreements with the holders of  
662 particular revenue bonds or notes pledging any particular  
663 revenues. Notwithstanding that the revenue bonds and notes may  
664 be payable from a special fund, they shall have all the quality  
665 of negotiable instruments under the Florida Uniform Commercial  
666 Code-Investment Securities and shall not be invalidated for any  
667 irregularity or defect in the proceedings for the issue and sale  
668 thereof, and shall be incontestable in the hands of bona fide  
669 purchasers or holders for value.

670 (3) The revenue bonds may be issued as serial bonds or as  
671 term bonds, or the district, in its discretion, may issue bonds  
672 of both types. The revenue bonds shall be authorized by  
673 resolution of the board of trustees of the district and shall  
674 bear such date or dates; mature at such time or times, not  
675 exceeding 40 years from their respective dates; bear interest at  
676 such rate or rates; be payable at such time or times; be in such  
677 denominations; be executed in such manner; be payable in lawful  
678 money of the United States at such place or places; and be  
679 subject to such terms of redemption, including redemption prior  
680 to maturity, as the board of trustees shall determine in such  
681 resolution or resolutions. The revenue bonds issued by the  
682 district are exempt from all taxation to the extent provided by  
683 the general law. The revenue bonds may be issued in coupon or  
684 in registered form, as the board of trustees may determine or in  
685 accordance with the Registered Public Obligations Act of  
686 Florida, chapter 83-271, Laws of Florida, and provisions may be  
687 made for the registration of coupon bonds as to principal alone,  
688 and as to both principal and interest, and for the reconversion  
689 into coupon bonds of any bonds as to both principal and  
690 interest. The district shall determine the form and manner of



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691 execution of the revenue bonds, including interest coupons, if  
692 any, to be attached thereto, and shall fix the denomination or  
693 denominations of the revenue bonds and the place or places of  
694 payment of principal and interest, which may be at any bank or  
695 trust company within or without the state. In case any board  
696 member, officer, or employee of the district whose signature, or  
697 a facsimile of whose signature, shall appear on any bonds or  
698 coupons shall cease to be a board member, officer, or employee  
699 of the district before the delivery of such bonds, such  
700 signature or facsimile shall nevertheless be valid and  
701 sufficient for all purposes as if he or she had remained in  
702 office until such delivery. The district may also provide for  
703 the authentication of the revenue bonds by a trustee, fiscal  
704 agent, or registrar. The revenue bonds or notes may be sold at  
705 public or private sale for such price or prices as the district  
706 shall determine. Pending preparation of the definitive bonds,  
707 the district may issue interim or temporary receipts or  
708 certificates which shall be exchanged for such definitive bonds.

709 (4) Revenue bonds may be issued under the provision of  
710 this section without obtaining the approval or consent of any  
711 commission, board, or agency of the state or the country and  
712 without any other proceedings or the happening of any other  
713 condition or things.

714 (5) Any resolution or resolutions authorizing any revenue  
715 bonds or any issue of revenue bonds may contain provisions which  
716 shall be a part of the contract with the holders of the revenue  
717 bonds to be authorized as to:

718 (a) Pledging of all or any part of the revenues of a  
719 health facility or of the district to secure the payment of the  
720 revenue bonds or of any particular issue of revenue bonds,





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721 subject to such agreements with bondholders as may then exist.

722 (b) The rentals, fees, and other charges to be charged,  
 723 the amounts to be raised in each year thereby, and the use and  
 724 disposition of the revenues.

725 (c) The setting aside of reserves or sinking funds, and  
 726 the regulation and disposition thereof.

727 (d) Limitations on the right of the district to restrict  
 728 and regulate the use of the health facility.

729 (e) Limitations on the purpose to which the proceeds of  
 730 sale of any issue of revenue bonds then or thereafter to be  
 731 issued may be applied and pledging such proceeds to secure the  
 732 payment of the revenue bonds or any issue of the revenue bonds.

733 (f) Limitations on the issuance of additional bonds, the  
 734 terms upon which additional bonds may be issued and secured, and  
 735 the refunding of outstanding bonds.

736 (g) The procedure, if any, by which the terms of any  
 737 contract with bondholders may be amended or abrogated, the  
 738 amount of bonds the holders of which must consent thereto, and  
 739 the manner in which such consent may be given.

740 (h) Defining the acts or omissions to act which shall  
 741 constitute a default in the duties of the district to holders of  
 742 its obligations and providing the rights and remedies of such  
 743 holders in the event of a default.

744 (6) Neither the members of the board of trustees of the  
 745 district nor any person executing the revenue bonds or notes  
 746 shall be liable personally on the revenue bonds or notes or be  
 747 subject to any personal liability or accountability by reason of  
 748 the issuance thereof.

749 (7) In the discretion of the district, any revenue bonds  
 750 issued under the provisions of this part may be secured by a



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751 trust agreement by and between the district and a corporate  
752 trustee, which may be any trust company or bank having the  
753 powers of a trust company within or without the state. Such  
754 trust agreement or resolution providing for the issuance of such  
755 bonds may pledge or assign the fees, rents, charges, or proceeds  
756 from the sale of any health facility or part thereof, insurance  
757 proceeds, condemnation awards, and other funds and revenues to  
758 be received therefor as security for repayment of the bonds.  
759 Such bonds shall contain such provisions for protecting and  
760 enforcing the rights and remedies of the bondholders as may be  
761 reasonable and proper and not in violation of law, including  
762 covenants setting forth the duties of the district in relation  
763 to the acquisition of property and the construction,  
764 improvement, maintenance, repair, operation, and insurance of  
765 the health facility or facilities in connection with which such  
766 bonds shall have been authorized; the fees, rents, and other  
767 charges to be fixed and collected; the sale of any health  
768 facility, or part thereof, or other property; the terms and  
769 conditions for the issuance of additional bonds; and the  
770 custody, safeguarding, and application of all moneys. It shall  
771 be lawful for any bank or trust company incorporated under the  
772 laws of the state which may act as depository of the proceeds of  
773 bonds, revenues, or other money hereunder to furnish such  
774 indemnifying bonds or to pledge such securities as may be  
775 required by the district. Any such trust agreement or  
776 resolution shall set forth the rights and remedies of the  
777 bondholders and of the trustee and may restrict the individual  
778 right of action by bondholders. In addition to the foregoing,  
779 any such trust agreement or resolution may contain such other  
780 provisions as the district may deem reasonable and proper for



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781 the security of the bondholders. All expenses incurred in  
782 carrying out the provisions of such trust agreement or  
783 resolution may be treated as a part of the cost of the health  
784 facility or facilities in connection with which bonds are issued  
785 or as an expense of administration of such health facilities as  
786 the case may be.

787 (8) Revenue bonds issued under the provisions hereof shall  
788 not be deemed to constitute a debt, liability, or obligation of  
789 the state or any political subdivision thereof or of the  
790 district, or a pledge of the faith and credit of the state or  
791 any political subdivision thereof, but shall be payable solely  
792 from the revenues provided therefor. All such revenue bonds  
793 shall contain on the face thereof a statement to the effect that  
794 the district shall not be obligated to pay the same or the  
795 interest thereon except from the revenues of or derived from the  
796 health facility or of the district, or any portion thereof, and  
797 that neither the faith and credit nor the taxing power of the  
798 state or of any political subdivision thereof, including the  
799 district, is pledged to the payment of the principal of or the  
800 interest on such bonds. The issuance of revenue bonds under the  
801 provisions of this section shall not directly, indirectly, or  
802 contingently obligate the state or any political subdivision  
803 thereof or the district to levy or to pledge any form of  
804 taxation whatever therefor or to make any appropriation for  
805 their payment.

806 (9)(a) The district is hereby authorized to fix and  
807 collect fees, rents, and charges for the use of any health  
808 facility and any part or section thereof. The district may  
809 require that the lessee or operator of any health facility or  
810 part thereof shall operate, repair, and maintain the health



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811 facility and bear the cost thereof and other costs of the  
812 district in connection with the health facility or facilities  
813 leased as may be provided in the financing agreement or other  
814 contract with the district, in addition to other obligations  
815 imposed under such financing agreement or contract.

816 (b) The repayments, fees, rents, and charges to the lessee  
817 shall be fixed as to provide a fund at least sufficient to pay  
818 the principal of, and the interest on, such bonds as the same  
819 shall become due and payable and to create reserves, if any,  
820 deemed by the district to be necessary for such purposes. The  
821 repayments, fees, rents, charges, and all other revenues and  
822 proceeds derived from the health facility or facilities in  
823 connection with which the revenue bonds of any issue shall have  
824 been issued, except such part thereof as may be necessary for  
825 such reserves or any expenditures as may be provided in the  
826 resolution authorizing the issuance of such bonds or in the  
827 trust agreement securing the same, may be set aside at such  
828 regular intervals as may be specified in such resolution or such  
829 trust agreement in one or more sinking funds which may be  
830 pledged to, and charged with, the payment of the principal of  
831 and the interest on such bonds as the same shall become due and  
832 the redemption price or the purchase price of bonds retired by  
833 call or purchase as therein provided. Such pledge shall be  
834 valid and binding from the time when the pledge is made.  
835 Notwithstanding any provision of the Florida Uniform Commercial  
836 Code requiring the filing of any pledge to create a perfected  
837 security interest, the repayments, fees, rents, charges, and  
838 other revenues and moneys so pledged and thereafter received by  
839 the district shall immediately be subject to the lien of such  
840 pledge without any physical delivery thereof or further act, and



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841 the lien of any such pledge shall be valid and binding as  
842 against all parties having claims of any kind in tort, contract,  
843 or otherwise against the district, irrespective of whether such  
844 parties have notice thereof. The use and disposition of money  
845 to the credit of such sinking fund shall be subject to the  
846 provisions of the resolution authorizing the issuance of such  
847 bonds or of such trust agreement. Except as may otherwise be  
848 provided in the resolution or the trust agreement, the sinking  
849 fund shall be a fund for all such bonds without distinction or  
850 priority of one over another.

851 Section 17. Bonds Payable From Ad Valorem Taxes.

852 (1) The board of trustees of the Indian River County  
853 Hospital District is authorized and empowered by resolution to  
854 issue and sell, from time to time, ad valorem bonds of the  
855 district for the purpose of raising funds to purchase,  
856 establish, construct, equip, and maintain such health facilities  
857 for the provision of such health and medical services as in its  
858 opinion are necessary or desirable in the district. All ad  
859 valorem bonds issued as herein authorized shall be of the  
860 denomination of \$100 or some multiple thereof, shall bear  
861 interest at a rate not to exceed the maximum rate permissible  
862 under Florida law, payable semiannually, and both principal and  
863 interest shall be payable at such place or places as the board  
864 of trustees may determine. The form of such bonds shall be  
865 fixed by resolution of the board of trustees, and such bonds  
866 shall be signed by the chair of the board of trustees and shall  
867 have the seal of the Indian River County Hospital District  
868 affixed thereto. The ad valorem bonds may be issued in coupon  
869 or in registered form, as the board of trustees may determine in  
870 accordance with the Registered Public Obligations Act of



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871 Florida, chapter 83-271, Laws of Florida, and provisions may be  
 872 made for the registration of coupon bonds as to principal alone,  
 873 and as to both principal and interest, and for the reconversion  
 874 into coupon bonds of any bonds registered as to both principal  
 875 and interest. Ad valorem bonds so executed shall be valid  
 876 notwithstanding any change in the persons holding said office or  
 877 in the seal occurring after such execution. The ad valorem  
 878 bonds shall be due not more than 40 years from the date thereof  
 879 as the board of trustees may determine, and shall be exempt from  
 880 all state, county, and city taxation. All the ad valorem bonds  
 881 issued by the Indian River County Hospital District shall have  
 882 all the quality of negotiable instruments under the Florida  
 883 Uniform Commercial Code-Investment Securities and shall not be  
 884 invalidated for any irregularity or defect in the proceedings  
 885 for the issue and sale thereof, and shall be incontestable in  
 886 the hands of a bona fide purchasers or holders thereof for  
 887 value. The bonds in this section authorized and empowered to be  
 888 issued shall be issued only after the same have been approved by  
 889 the majority of votes cast in an election of the qualified  
 890 voters residing in the district. Such election shall be called,  
 891 held, and conducted in the manner as provided by the general law  
 892 of the state.

893 (2) Prior to the issuance of such ad valorem bonds, the  
 894 board of trustees shall, by resolution, determine the amount,  
 895 not exceeding 5 mills on the dollar, which, in their opinion,  
 896 will be necessary to be raised annually by taxation for an  
 897 interest and sinking fund with which to pay the interest and  
 898 principal of the ad valorem bonds. The board of trustees is  
 899 authorized, empowered, and required to provide for the levy and  
 900 collection annually of a sufficient tax, not exceeding 5 mills



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901 on the dollar, upon all the taxable property in the district, to  
902 pay such interest, and with which to provide and maintain a  
903 sinking fund for the payment of the principal of the ad valorem  
904 bonds and any ad valorem bonds which may have been assumed by  
905 the board.

906 (3) The board of trustees shall offer the ad valorem bonds  
907 for sale by notice stating the amount of ad valorem bonds for  
908 sale, the maximum rate of interest and when due and payable, by  
909 advertising once a week for 2 weeks in a newspaper published in  
910 the district. The board of trustees shall receive bids for the  
911 purchase of the ad valorem bonds or any part thereof on the date  
912 fixed by the notice, being not less than 20 days from the date  
913 of first publication. The board shall have the right to reject  
914 any and all bids and readvertise the ad valorem bonds or any  
915 portion thereof remaining unsold.

916 (4) A bank or banks or other depository or depositories to  
917 be designated by the board of trustees shall receive and be  
918 custodian of the ad valorem bonds and moneys arising from the  
919 sale of said ad valorem bonds.

920 Section 17.1. Refunding Bonds.

921 (1) The board of trustees of the district is authorized  
922 and empowered by resolution to issue and sell, from time to  
923 time, refunding bonds of the district for the purpose of  
924 refunding any bonds then outstanding and issued under the  
925 provisions of sections 16.2 and 17, including any redemption  
926 premium, and any interest accrued or to accrue to the earliest  
927 or subsequent date of redemption, purchase, or maturity of such  
928 bonds, and, if deemed advisable by the board of trustees, for  
929 the additional purpose of paying all or any part of the cost of  
930 constructing and acquiring additions, improvements, extensions,



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931 or enlargements of a health facility or any portion thereof and  
932 the costs of issuance of the bonds and the amounts necessary to  
933 establish any reserve or other funds required to be established  
934 in connection therewith.

935 (2) The proceeds of any such bonds issued for the purpose  
936 of refunding outstanding bonds may, in the discretion of the  
937 board of trustees, be applied to the purchase or retirement at  
938 maturity or redemption of such outstanding bonds either on their  
939 earliest or any subsequent redemption date or upon the purchase  
940 or at the maturity thereof and may, pending such application, be  
941 placed in escrow to be applied to such purchase or retirement at  
942 maturity or redemption on such date as may be determined by the  
943 board of trustees.

944 (3) Any such escrowed proceeds, pending such use, may be  
945 invested and reinvested in obligations of, or guaranteed by, the  
946 United States of America, or any agency or instrumentality  
947 thereof presently existing or hereafter created or in  
948 certificates of deposit or time deposits secured by obligations  
949 of, or guaranteed by, the United States of America, maturing at  
950 such time or times as shall be appropriate to assure the prompt  
951 payment, as to the principal, interest, and redemption premium,  
952 if any, of the outstanding bonds to be so refunded. The  
953 interest, income, and profits, if any, earned or realized on any  
954 such investment may also be applied to the payment of the  
955 outstanding bonds to be so refunded. After the terms of the  
956 escrow have been fully satisfied and carried out, any balance of  
957 such proceeds and interest, income, and profits, if any, earned  
958 or realized on the investments thereof may be returned to the  
959 district for use by it in any lawful manner.

960 (4) The portion of the proceeds of any such bonds issued





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961 for the additional purpose of paying all or any part of the cost  
 962 of constructing and acquiring additions, improvements,  
 963 extensions, or enlargements of a health facility may be invested  
 964 and reinvested in obligations of, or guaranteed by, the United  
 965 States of America, or in certificates of deposit or time  
 966 deposits secured by obligations of, or guaranteed by, the United  
 967 States of America, maturing not later than the time or times  
 968 when such proceeds will be needed for the purpose of paying all  
 969 or any part of such cost. The interest, income, and profits, if  
 970 any, earned or realized on such investment may be applied to the  
 971 payment of all or any part of such cost or may be used by the  
 972 district in any lawful manner.

973 (5) The issuance of such obligations, the maturities and  
 974 other details thereof, the rights and remedies of the holders  
 975 thereof, and the rights, powers, privileges, duties, and  
 976 obligations of the district with respect to the same shall be  
 977 governed by the provisions hereof, as amended, as they may be  
 978 applicable. The refunding bonds issued by the district are  
 979 exempt from all taxation to the extent provided by general law.

980 Section 18. Validation of Bonds. Any and all bonds issued  
 981 under the provisions of this act may be validated by the board  
 982 of trustees for said Indian River County Hospital District under  
 983 and in accordance with the provisions of the general laws of  
 984 Florida, in the same manner as is therein provided for  
 985 validation of bonds, etc., by any county, municipality, taxing  
 986 district, etc., of the State of Florida.

987 Section 19. Indigents. Each hospital and clinic  
 988 established under this act shall be for the use and benefit of  
 989 the indigent sick who have resided in such County for not less  
 990 than 1 year next preceding application for admission for



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991 treatment. Such residents shall be admitted to such hospital  
992 and clinic and be entitled to medical care without charge,  
993 subject to the rules and regulations prescribed by said board of  
994 trustees. Such hospital and clinics shall care for and treat  
995 without charge only such patients who are found by such board of  
996 trustees to be indigent, but such board may collect from  
997 patients financially able such charges as such board of trustees  
998 may, from time to time, establish. Such board of trustees shall  
999 have the power to extend the benefits and privileges of such  
1000 hospitals and clinics and treatment and outpatient department to  
1001 the homes of the indigent residents of such county. Said board  
1002 of trustees may extend the privileges and use of such hospitals  
1003 and clinics to nonresidents of such district upon such terms and  
1004 conditions as the said board may from time to time by its rules  
1005 and regulations provide, provided, however, that the indigent  
1006 residents of the district wherein such hospitals and clinics are  
1007 located shall have the first claim to admission.

1008 The board of trustees is authorized to accept moneys from  
1009 the welfare funds provided by Indian River County, the State of  
1010 Florida, the United States of America, or any other source for  
1011 the payment of the cost of treatment and care of the indigent.

1012 Section 20. Eminent Domain. The board shall have the  
1013 power of eminent domain and may thereby condemn and acquire any  
1014 real property which the board may deem necessary for the use of  
1015 said district. Such power of condemnation shall be exercised in  
1016 the same manner as is now provided by the general law for the  
1017 exercise of the power of eminent domain by cities and towns of  
1018 the State of Florida.

1019 Section 21. Donations. Any person or persons, firm,  
1020 organizations, corporations, or society, public or private,



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1021 municipal corporations, or municipalities desiring to make  
1022 donations of money, personal property, or real estate for the  
1023 benefit of such hospital, for the creation of a memorial or an  
1024 endowment, or for any other purpose shall have the right to vest  
1025 title of the money, personal property, or real estate so donated  
1026 in said board of trustees to be controlled when accepted by the  
1027 board of trustees of said hospital according to the terms of the  
1028 deed, gift, devise, or bequest of such property.

1029 Section 22. Liberal Construction. It is intended that the  
1030 provisions of this act shall be liberally construed for  
1031 accomplishing the work authorized and provided for or intended  
1032 to be and provided for in this act, and where strict  
1033 construction would result in the defeat of the accomplishment of  
1034 any part of the work authorized by this act and a liberal  
1035 construction would permit or assist in the accomplishment  
1036 thereof, the liberal construction shall be chosen.

1037 Section 23. Invalidity. Any clause or section of this act  
1038 which for any reason may be held or declared invalid, may be  
1039 eliminated and the remaining portion or portions thereof shall  
1040 be and remain in full force and be valid as if such invalid  
1041 clause or section had not been incorporated therein.

1042 Section 24. Retirement Program. The board of trustees  
1043 shall have the power to provide a retirement program for the  
1044 Indian River County Hospital District employees; to establish  
1045 qualifications for coverage under the program; to pay any part  
1046 or all of the cost of such program; to contract with any company  
1047 licensed to do business in Florida for the establishment and  
1048 operation of the program; to charge its covered employees for  
1049 the employees' share of the cost of the program; to take such  
1050 other action as may be necessary to establish and operate the



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1051 retirement program; and to withdraw, by resolution of the board  
 1052 of trustees, from the State and County Officers and Employees'  
 1053 Retirement System of Florida, as established by chapter 122,  
 1054 Florida Statutes. All general, special, or local laws or parts  
 1055 thereof inconsistent herewith are declared to be inapplicable to  
 1056 the provisions of this act, including specifically section  
 1057 122.061, Florida Statutes, which shall not apply and which is  
 1058 hereby amended insofar as it prohibits the withdrawal of the  
 1059 Indian River County Hospital District and its employees from the  
 1060 retirement system. In the event that the board of trustees  
 1061 adopts a resolution by which the Indian River County Hospital  
 1062 District and its employees shall be withdrawn from the State and  
 1063 County Officers and Employees' Retirement System, such  
 1064 withdrawal shall become effective on the first day of the next  
 1065 month following the adoption of such resolution, and the board  
 1066 of trustees shall send a certified copy of the resolution to the  
 1067 Department of Management Services. Beginning on the first day  
 1068 of the next month following the adoption of the resolution, the  
 1069 Indian River County Hospital District shall not be required to  
 1070 contribute to the State and County Officers and Employees'  
 1071 Retirement System, and its employees shall not thereafter be  
 1072 participants in said system. Following the adoption of the  
 1073 resolution, 100 percent of the contributions previously made to  
 1074 the state retirement system shall be refunded to the employees  
 1075 of the Indian River County Hospital District and the said  
 1076 district, without interest, and the Department of Management  
 1077 Services shall make such refunds upon application therefor by  
 1078 each employee and the district, notwithstanding any other  
 1079 provisions of the general law relating to such refund.

1080 Section 24.1. Employee Insurance. The Indian River County



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1081 Hospital District is authorized and empowered to provide for  
 1082 life and disability and medical insurance for all or any of its  
 1083 employees or officers on a group insurance plan, or other  
 1084 acceptable plan, approved by the board of trustees of the Indian  
 1085 River County Hospital District, and to establish and create by  
 1086 resolution such other employee benefit programs as the board of  
 1087 trustees may deem proper for any groups of officers or employees  
 1088 of the district qualified for such program, and to pay all or  
 1089 such portion of the costs of any such plan or program from funds  
 1090 available to the district from such balance thereof, if any, as  
 1091 the board of trustees by resolution may determine for any and  
 1092 all groups of officers or employees of the Indian River County  
 1093 Hospital District.

1094 Section 25. Tax Anticipation Financing; Additional  
 1095 Provisions. In addition to any other obligations authorized  
 1096 under this act, the board of trustees of the Indian River County  
 1097 Hospital District is hereby authorized to borrow a sum not to  
 1098 exceed the maximum outstanding amount at any time of \$15 million  
 1099 and to evidence such loan made to the district by its tax  
 1100 anticipation note or notes bearing interest at a rate not to  
 1101 exceed the maximum rate permissible under Florida law. The sum  
 1102 so borrowed shall be repaid together with interest at a rate not  
 1103 to exceed the maximum rate permissible under Florida law. The  
 1104 notes authorized in this section shall be made only after the  
 1105 same have been approved by the majority of votes cast in an  
 1106 election in which the majority of qualified voters residing in  
 1107 the district shall participate. Such election shall be called,  
 1108 held, and conducted in the manner as provided by the general law  
 1109 of the state.

1110 Section 4. Chapters 61-2275, 63-1432, 65-1708, 67-1515,



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1111 67-1516, 71-688, 72-568, 74-499, 76-387, 84-451, 99-485, and  
1112 2002-345, Laws of Florida, are repealed.

1113 Section 5. If any provision of this act or its application  
1114 to any person or circumstance is held invalid, the invalidity  
1115 does not affect other provisions or applications of the act  
1116 which can be given effect without the invalid provision or  
1117 application, and to this end the provisions of this act are  
1118 declared severable.

1119 Section 6. This act shall take effect upon becoming a law.