



1 A bill to be entitled

2 An act relating to the Indian River County Hospital  
3 District, Indian River County; codifying special laws  
4 relating to the district; providing legislative intent;  
5 amending, codifying, reenacting, and repealing chapters  
6 61-2275, 63-1432, 65-1708, 67-1515, 67-1516, 71-688, 72-  
7 568, 74-499, 76-387, 84-451, 99-485, and 2002-345, Laws of  
8 Florida; providing district boundaries; providing  
9 definitions; providing for a board of trustees as the  
10 governing body of the district; prescribing the powers and  
11 duties of the board; providing for compensation and  
12 meetings of the board; providing for the incorporation of  
13 the sunshine law, the public records act, the election  
14 code, and the bidding requirements of chapters 255 and  
15 287, Florida Statutes; authorizing the board to levy ad  
16 valorem tax within the district; providing for the purpose  
17 of the tax; providing for a method for such levy;  
18 exempting property of the district for assessment;  
19 providing for benefits for staff; providing an effective  
20 date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

23  
24 Section 1. Pursuant to section 189.429, Florida Statutes,  
25 this act constitutes the codification of all special acts  
26 relating to the Indian River County Hospital District. It is  
27 the intent of the Legislature to provide a single comprehensive  
28 special act charter for the district including all current



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

32 Section 2. Chapters 61-2275, 63-1432, 65-1708, 67-1515,  
33 67-1516, 71-688, 72-568, 74-499, 76-387, 84-451, 99-485, and  
34 2002-345, Laws of Florida, are amended, codified, reenacted and  
35 repealed as herein provided.

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

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

46  
47 Begin at the point where the South boundary line of  
48 Indian River County, Florida, intersects the Atlantic  
49 Ocean; thence run West along said South boundary line  
50 to the Southwest corner of Section 31, Township 33  
51 South, Range 36 East; thence run North along the range  
52 line dividing Range 35 East and Range 36 East to the  
53 Northeast corner of Township 33 South, Range 35 East;  
54 thence run West along the North line of said Township  
55 33 South to the Southwest corner of Section 31,  
56 Township 32 South, Range 35 East; thence run North on



57 the line dividing Indian River County and Osceola  
58 County to the South line of Township 31 South, Range  
59 35 East; thence run East along said South line of  
60 Township 31 South to the Southeast corner of Section  
61 31, Township 31 South, Range 35 East; thence run North  
62 along the East line of Sections 31, 30, 19, 18, 7 and  
63 6, all said sections being in Township 31 South, Range  
64 35 East, to the North boundary line of Indian River  
65 County; thence run East along said North boundary line  
66 of Indian River County to the point where said line  
67 intersects the medial line of the South Fork of the  
68 St. Sebastian River; thence Northerly down the thread  
69 of said stream to the main stream of the St. Sebastian  
70 River; thence down the thread of the St. Sebastian  
71 River to its confluence with the Indian River; thence  
72 East to the intersection with the Southwesterly  
73 extension of the center line of the approach channel  
74 to the Sebastian inlet from the Indian River; thence  
75 Northeasterly along said center line and continue  
76 Northeasterly and Easterly along the center line of  
77 the Sebastian inlet to the Atlantic Ocean; thence run  
78 Southerly along and following the Easterly boundary  
79 line of Indian River County, Florida, to the point of  
80 beginning.

81  
82 Section 1.1. Definitions. The following words and terms,  
83 unless the context clearly indicates a different meaning, shall  
84 have the following meanings:



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

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

111           (3) "Health and medical services" shall mean items or  
112 services provided by or under the supervision of a physician or



113 other person trained or licensed to render health care necessary  
114 for the prevention, care, diagnosis, or treatment of human  
115 disease, pain, injury, deformity, or other physical or mental  
116 condition, including, but not limited to, preadmission,  
117 outpatient, inpatient and postdischarge care, home care,  
118 physician's care, nursing care, extended care, intermediate  
119 care, urgent care, emergency care, and medical care provided by  
120 interns or residents-in-training and other paramedical care,  
121 ambulance service, bed and board, drugs, biologicals, supplies,  
122 appliances, equipment, laboratory services, x-ray, radium, and  
123 radioactive isotope therapy, and billing and collection  
124 services.

125 (4) "Cost" means the sum total of all or any part of costs  
126 incurred or estimated to be incurred by the district or by a  
127 health facility which are reasonable and necessary for carrying  
128 out all works and undertakings and providing all necessary or  
129 desirable equipment for the development of a health facility,  
130 exclusive of the amount of any private or federal, state, or  
131 local financial assistance for and received by a health facility  
132 for the payment of such cost. Such costs shall include, but are  
133 not necessarily limited to, interest prior to, during, and for a  
134 cost of operation and maintenance during the construction period  
135 and for a reasonable additional period thereafter, the cost of  
136 necessary studies, surveys, plans and specifications,  
137 architectural, engineering, legal or other special services, the  
138 cost of acquisition of land, buildings, and improvements  
139 thereon, including payments for the relocation of persons  
140 displaced by such acquisition, site preparation and development,



141 construction, reconstruction, equipment, including fixtures,  
142 equipment, and cost of demolition and removal, and articles of  
143 personal property required, the reasonable cost of financing  
144 incurred in the course of the development of the health  
145 facility, reserves for debt service, the fees imposed by the  
146 district, other fees charged, and necessary expenses incurred in  
147 connection with the initial occupancy of the health facility,  
148 and the cost of such other items as may be reasonable and  
149 necessary for the development of a health facility.

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

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

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

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

162 Section 2. Authority. The board of trustees is authorized  
163 and empowered to establish, construct, purchase, operate,  
164 maintain, and lease, as lessee or lessor, such health facilities  
165 in or through which the district provides health and medical  
166 services as in its opinion are necessary and desirable for the  
167 use of the people of the district. The health facilities in or  
168 through which the district provides health and medical services



169 which may be purchased, established, constructed, operated,  
170 maintained, and leased by or through or from the board of  
171 trustees shall be for the preservation of the public health, and  
172 for the public good and for the use of the public of the  
173 district. Maintenance of such health facilities in or through  
174 which health and medical services are provided within the  
175 district is found and declared to be a public purpose and  
176 necessary for the preservation of the public health and public  
177 use and for the welfare of the district and the inhabitants  
178 thereof. The location of such health facilities shall be  
179 determined by the board. The trustees may assume and agree to  
180 pay any outstanding indebtedness, obligations, or contracts in  
181 connection with any health facilities in or through which health  
182 and medical services are provided. The board of trustees is  
183 further authorized and empowered to expend district funds for  
184 any purposes related to or supportive of the authorized  
185 activities of the district. The powers granted to the board of  
186 trustees herein are in addition to those granted by the general  
187 law of the state.

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

192 (2) The board of trustees is authorized and empowered to  
193 enter into financing agreements, to lease, as lessee or lessor,  
194 any such health facilities in which the district provides or  
195 proposes to provide health and medical services, or any land or  
196 property of the district. Any financing agreement to secure



197 bonds of the district shall require that the other party to the  
198 financing agreement shall be a governmental unit or nonprofit  
199 corporation qualified under Section 501(c)(3) of the United  
200 States Internal Revenue Code of 1954, as amended, and exempt  
201 from federal income taxes under Section 501(a) or a successor  
202 provision thereto, and that such health facilities in or through  
203 which the district, prior to entering into the financing  
204 agreement, shall be returned to the district upon the  
205 termination of the financing agreement, or the dissolution of  
206 the nonprofit corporation.

207 (3) The board of trustees shall determine the terms of  
208 such financing agreements, contracts, or agreements, and the  
209 conditions, covenants, and agreements to be contained therein.

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

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

223 (6) Prior to any decision to sell all or substantially all  
224 of the facilities which make up Indian River Memorial Hospital,





225 the district shall cause a referendum to be held at which the  
226 electors of Indian River County shall have the opportunity to  
227 express their approval or disapproval of the proposed sale. The  
228 referendum shall be held in accordance with:

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

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

233 (c) Any other comparable procedure set forth in then  
234 existing Florida law.

235  
236 The specific procedure to be utilized shall be determined by the  
237 district in the resolution calling for such referendum. The  
238 result of the referendum shall be binding upon the district.  
239 Nothing herein shall prevent the district from changing minor  
240 details of the proposed sale following the referendum, provided  
241 the district determines that such changes are in the best  
242 interest of the residents of Indian River County.

243 Section 3. Governing Body; Elections. The governing body  
244 of the Indian River County Hospital District shall consist of  
245 seven trustees who shall be qualified electors and freeholders  
246 residing in said district. The board of trustees elected at the  
247 general election in 1964 shall remain in office until the  
248 expiration of their terms. At the general election to be held  
249 in 1966, three trustees shall be elected for 4-year terms. At  
250 subsequent general elections, the trustees shall be elected for  
251 4-year terms so that four trustees are elected at one general  
252 election and three trustees are elected at the next ensuing



253 general election. The trustees so elected shall serve for a  
254 term of 4 years and until their successors are elected and  
255 qualified.

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

262 Each trustee shall give bond to the Governor of the State  
263 of Florida for the faithful performance of his or her duties in  
264 the sum of \$5,000 with a surety company qualified to do business  
265 in the State of Florida as surety, which bond shall be approved  
266 and kept by the Clerk of the Circuit Court of Indian River  
267 County, Florida. The premiums on said bonds shall be paid as  
268 part of the expenses of said district.

269 Section 4. Additional Authority. The board of trustees of  
270 said Indian River County Hospital District shall have all the  
271 powers of a body corporate, including the power to contract and  
272 be contracted with; to adopt and use a common seal, and to alter  
273 the same at pleasure; to acquire, purchase, hold, lease, as  
274 lessee or lessor, sell, and convey by financing agreement,  
275 lease, deed, or other instrument of conveyance real and personal  
276 property; and to perform such other acts as said board may deem  
277 proper or expedient to carry out the purposes of this act, and  
278 the power to sue and be sued under the name of the Indian River  
279 County Hospital District, provided, however, that all suits  
280 against said board of trustees shall be begun only in Indian



281 River County, regardless of the location of any property  
282 involved in the litigation and regardless of where the cause of  
283 action accrued. The board is authorized to provide for the  
284 management of health facilities of the district, and may employ  
285 administrators, a chief surgeon, pathologist, radiologist, and  
286 such other specialists, agents, and employees as said board may  
287 deem advisable. The board shall have power to borrow money and  
288 to issue the notes, bonds, and other evidences of said district  
289 therefor to carry out the provisions of this act in the manner  
290 hereinafter provided. The trustees of said board shall have the  
291 authority and the power to make contracts extending beyond their  
292 terms of office. The powers granted to the board of trustees  
293 herein are in addition to those granted by the general law of  
294 the state.

295 If, in the absolute opinion of the board, adequate  
296 emergency ambulance service is not supplied and maintained in  
297 the district by private or volunteer ambulance companies or  
298 associations, then the board shall have the authority and power  
299 to provide, maintain, and operate emergency ambulance services  
300 within the area of the district and to prescribe rules and  
301 regulations for the operation and use of such ambulances and to  
302 charge such fee for the use of such facilities as it might  
303 determine. The board is further authorized and empowered to  
304 secure and keep in force, in companies duly authorized to do  
305 business in Florida, insurance covering liability for damages on  
306 account of bodily injury, death, or property damage, in such  
307 amounts as the board may determine, resulting from the operation



308 of such ambulances or by reason of the ownership, maintenance,  
309 operation, or use of such ambulances.

310 Section 5. Organization of Board. The trustees shall  
311 organize the board of said district, at their regular meeting  
312 held in January of each year, by the election of one of their  
313 members as chair, one as vice chair, one as secretary, and one  
314 as treasurer, and by the election of such other officers as they  
315 deem necessary.

316 Section 6. Meetings; Sunshine Law. The board of trustees  
317 shall hold regular meetings for the transaction of business  
318 according to a schedule arranged by the board of trustees and  
319 shall convene in special sessions when called by the chair of  
320 the board or by a majority of the trustees of the board,  
321 provided that actions taken at special meetings shall have the  
322 same force and effect as if taken at a regular meeting. All  
323 meetings of the board of trustees, including notices and minutes  
324 relating thereto, shall be governed by chapter 286, Florida  
325 Statutes, including those provisions commonly referred to as the  
326 Florida Government in the Sunshine Law, and the Uniform Special  
327 District Accountability Act of 1989, as each is amended from  
328 time to time.

329 Section 7. Quorum; Public Records. Four of said trustees  
330 shall constitute a quorum, and an affirmative vote of at least  
331 three of said trustees shall be necessary to the transaction of  
332 any business of the district. The trustees shall cause true and  
333 accurate minutes and records to be kept of all business  
334 transacted by them, and shall keep full, true, and complete  
335 books of accounts and minutes. The district shall comply with



336 chapter 119, Florida Statutes, commonly referred to as the  
337 Florida Public Records Act, as amended from time to time.

338 Section 8. Travel Expenses. The trustees under this act,  
339 the employees of the district, and other authorized travelers  
340 shall be paid per diem and travel expenses provided in section  
341 112.061, Florida Statutes, as amended from time to time, to be  
342 substantiated by paid bills therefor.

343 Section 9. Expenses. The board is authorized to pay from  
344 the funds of the district all expenses of the organization of  
345 said board and all expenses necessarily incurred in the  
346 formation of said district and all other reasonable and  
347 necessary expenses, including the fees and expenses of any  
348 attorney in the transaction of the business of the district and  
349 in carrying out and accomplishing the purposes of this act.

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

353 Section 10. Vacancies. Vacancies in the board of trustees  
354 occasioned by resignations, removals, or otherwise shall be  
355 reported to the Governor of the state, who shall fill such  
356 vacancies by appointment within 45 days after the occurrence  
357 thereof. Any vacancies not so filled within such time shall  
358 remain vacant until the next general election, and at such  
359 general election the vacancies shall be filled by the election  
360 of a trustee to serve for the remainder of the term in which  
361 such vacancy occurred. Any appointments made by the Governor to  
362 fill vacancies shall hold office until the next general  
363 election, and at such general election the vacancies shall be



364 filled by the election of a trustee to serve for the remainder  
365 of the term in which the vacancy occurred.

366 Section 11. Rules and Regulations. The board of trustees  
367 of the Indian River County Hospital District is further  
368 authorized and empowered to establish reasonable rules and  
369 regulations to govern the operation of district-owned or  
370 district-operated health facilities in or through which the  
371 district provides health and medical services and to govern and  
372 control the conduct of all employees, patients, private duty  
373 nurses, sitters, guests and visitors, and any other parties or  
374 persons who are, in any manner, upon or using the premises and  
375 facilities of the district health facilities, so that the health  
376 and welfare of the patients and the best interest of the  
377 district will at all times be served.

378 Section 12. Medical Staff.

379 (1) In the management of such hospital, no discrimination  
380 shall be made against any medical doctors, commonly known as  
381 MD's, duly licensed to practice materia medica in the state, and  
382 graduate dentists licensed to practice in the state, and who  
383 shall qualify under the bylaws, rules, and regulations  
384 established by the board and under the bylaws of the medical  
385 staff as approved by the board, and all such regular medical  
386 doctors and dentists shall have equal privileges in treating  
387 patients in said hospital. The patient shall have the right to  
388 employ, at his or her own expense, his or her own medical doctor  
389 or dentist, so qualified as aforesaid, and when acting for any  
390 patient in such hospital, such medical doctor or dentist  
391 employed by such patient shall have exclusive charge of the care



392 and treatment of such patient, and nurses therein as to such  
393 patient shall be subject to the direction of said medical  
394 doctor, subject always to such general rules and regulations as  
395 shall be established by the board of trustees under the  
396 provisions of this act.

397 (2) The board of trustees shall organize a staff of  
398 medical doctors and dentists of every practicing medical doctor  
399 and dentist who shall qualify under the rules and regulations  
400 established by the board. The board of trustees is hereby  
401 authorized and empowered to establish reasonable rules,  
402 regulations, and bylaws to govern said staff, and the members  
403 thereof, and to prescribe and establish in said rules,  
404 regulations, and bylaws reasonable duties and responsibilities  
405 for the staff, and member thereof, so that the welfare and  
406 health of the patients and the best interests of the hospital  
407 may at all times be best served. It shall be the duty of said  
408 staff to organize in a manner prescribed by the said board so  
409 that there shall be a rotation of service among the members of  
410 said staff to give proper medical and surgical attention to the  
411 indigent sick, injured, or maimed who may be admitted to said  
412 hospital for treatment.

413 (3) The board of trustees is hereby authorized and  
414 empowered to grant or refuse, revoke, or suspend membership on  
415 the said staff, and to grant or refuse, revoke, or suspend any  
416 privileges attendant to such membership so that the welfare and  
417 health of the patients and the best interests of the district  
418 may at all times be best served, provided, further, that:



419        (a) The board of trustees is hereby authorized and  
420 empowered to require members of the staff to abide by all  
421 reasonable rules, regulations, and bylaws established by the  
422 board of trustees under the authorization of this act, and to  
423 require the performance of those duties and responsibilities  
424 prescribed by said rules, regulations, and bylaws, and to  
425 enforce such requirements by the revocation or suspension of  
426 staff membership and privileges, under the terms of this act.

427        (b) The board of trustees shall adopt rules and bylaws  
428 providing the procedure for considering the refusal, revocation,  
429 or suspension of staff membership of any person, or suspension  
430 or modification of privileges attendant to such membership. The  
431 procedure adopted shall afford due process to the parties and  
432 shall provide for an orderly, fair, and impartial proceeding.

433        (c) In those instances when the board of trustees, under  
434 its rules or bylaws, considers the refusal, revocation, or  
435 suspension of staff membership of any person, or suspension or  
436 modification of privileges which are attendant to such  
437 membership, the vote of five of the seven trustees shall be  
438 required to revoke, suspend, or modify staff membership or  
439 privileges of any staff member for any reason whatsoever or to  
440 refuse to grant staff membership to any practitioner. The right  
441 of judicial review shall at all times be preserved.

442        Section 13. Bank Accounts; Investments; Procurement of  
443 Personal Property or Services.

444        (1) The board of trustees shall designate a bank or banks,  
445 or other depository or depositories, to receive and be custodian  
446 of all the moneys received by the board for the operation and





447 maintenance of health facilities within the district. The board  
448 of trustees, pursuant to chapter 218, Florida Statutes, as  
449 amended, is authorized and empowered, as the board of a special  
450 district of the state, to invest district surplus funds, as  
451 defined in that chapter, as it now exists and as it may be  
452 amended from time to time. The board of trustees shall also  
453 have the power to delegate its authority to invest these surplus  
454 funds, as outlined above, to a national or State of Florida  
455 banking organization acting pursuant to a written trust  
456 agreement as a trustee of district funds, provided that such  
457 delegation is made in writing by the board of trustees.

458 (2) The funds of the district shall be paid out only upon  
459 warrants signed as the trustees may in their bylaws, rules, and  
460 regulations provide, provided that no warrant shall be drawn or  
461 issued against funds of the district except for a purpose  
462 authorized by this act. All funds of the district paid out by  
463 warrants as described above shall be approved by the board of  
464 trustees. The board may by resolution provide for such special  
465 accounts as the board may deem desirable, and may designate the  
466 persons authorized to draw on such special accounts in advance  
467 of approval by a majority of the board.

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

471 Section 13.1. Construction or Repairs. All contracts  
472 concerning any construction, improvement, or repair to any  
473 facility or property owned or leased by the district shall be



474 entered into in accordance with the procedure set forth in  
475 chapter 255, Florida Statutes, as amended from time to time.

476 Section 14. Ad Valorem Taxes; Additional Authority.

477 (1) It shall be the duty of the board of trustees and the  
478 said board is hereby authorized and empowered to annually assess  
479 and levy against the taxable property within the district a  
480 special tax not to exceed 5 mills on the dollar to be collected  
481 and paid into the district fund and used by said board of  
482 trustees for:

483 (a) First, to pay the interest and to provide and maintain  
484 a sinking fund for the payment of the interest and principal of  
485 the ad valorem bonds provided for and authorized by section 17  
486 of this act, and any other ad valorem bonds which may be assumed  
487 by said board;

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

490 (c) Third, to purchase, lease, as lessee or lessor,  
491 operate, maintain, and repair health facilities established as  
492 authorized by this act, and to pay other expenses reasonably  
493 related to, or supportive of, the authorized activities of the  
494 district.

495 (2) The board of trustees shall be authorized and  
496 empowered:

497 (a) To declare accounts receivable, including charity  
498 accounts, uncollectible and to write such accounts off the  
499 active books of the financial records of the district as bad  
500 debts. The board of trustees is further authorized to destroy  
501 the account records of those accounts declared to be bad debts,



502 but such records shall not be destroyed earlier than 4 years  
503 after the annual private audit of the district reflecting such  
504 write-off;

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

509 (c) To sell, assign, or convey to any person the right,  
510 title, and interest in any account receivable or judgment owned  
511 by the district by full or part payment of such account or  
512 judgment as the board of trustees, in its discretion, may  
513 determine; and

514 (d) At the discretion of the board, to provide for the  
515 payment of hospital and nursing home expenses for patients  
516 transferred from health facilities of the district to such other  
517 institutions at the district's request, provided that said  
518 patients shall be first certified to be medically indigent by  
519 the Indian River County Hospital District, based upon the  
520 definition and standards used by the State of Florida Department  
521 of Health.

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

525 Section 14.1. Non-Ad Valorem Revenues. The district is  
526 authorized to fix, revise, charge, and collect rates, rents,  
527 fees, and charges for the use of its health facilities and for  
528 the health and medical services furnished or to be furnished in  
529 each health facility and to contract with any person,



530 partnership, association or corporation, or other body, public  
531 or private, in respect thereof. Such rates, rents, fees, and  
532 charges shall be fixed and adjusted in respect of the aggregate  
533 of rents, rates, fees, and charges from such health facility so  
534 as to provide funds at least sufficient with other revenues or  
535 moneys, if any:

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

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

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

546 Section 15. Levy of Ad Valorem Taxes. Levy by said board  
547 of taxes authorized by any provision of this act shall be by  
548 resolution of said board duly entered upon the minutes of the  
549 board. Certified copies of such resolution executed in the name  
550 of the board by its chair, under its corporate seal, shall be  
551 made and delivered to the Board of County Commissioners of  
552 Indian River County, Florida, the Property Appraiser of Indian  
553 River County, Florida, the Tax Collector of Indian River County,  
554 Florida, and the Department of Revenue of the state, within the  
555 time as may be specified by the laws of the state. It shall be  
556 the duty of the County Commissioners of Indian River County to  
557 order and require the Property Appraiser of said County to



558 assess, and the County Tax Collector of said County to collect,  
559 the amount of taxes so assessed or levied by the board of  
560 trustees of said Indian River County Hospital District upon the  
561 taxable property in said district, at the rate of taxation  
562 adopted by said board of trustees of said district for said year  
563 and included in the warrant of the Property Appraiser and  
564 attached to the assessment roll of taxes for said County each  
565 year. The Tax Collector shall collect such tax so levied by  
566 said board in the same manner as other taxes are collected, and  
567 shall pay the same over to the board of trustees of Indian River  
568 County Hospital District within the time and in the manner  
569 prescribed by law for the payment by the Tax Collector of county  
570 taxes to the County depository. The assessment and levy of ad  
571 valorem taxes on the railroad lines and railroad property, and  
572 on the telegraph lines, telegraph property, and telephone lines  
573 situated or located in said district, shall be in accordance  
574 with general law. If any such taxes so assessed are not paid,  
575 the said property shall be by said Tax Collector sold and  
576 certificates issued and tax deeds issued in the same manner and  
577 under the same laws relating to sales, issuance of certificates,  
578 and deeds with reference to all other state and county taxes.  
579 All such taxes shall be held by said board of trustees and paid  
580 out of them as provided in this act.

581 Section 16. Tax Anticipation Financing. The board of  
582 trustees of the Indian River County Hospital District is  
583 authorized to borrow in any 1 tax year, calendar year, a sum not  
584 to exceed 80 percent of the estimated taxes to be collected on  
585 behalf of the district within such year and to evidence such



586 loan made to the district by its tax anticipation note or notes  
587 bearing interest at a rate not to exceed the maximum rate  
588 permissible under Florida law. Such notes shall be payable at a  
589 time not greater than 1 year from the date of the borrowing of  
590 such moneys. The sums so borrowed shall be repaid together with  
591 interest at a rate not to exceed the maximum rate permissible  
592 under Florida law. No sums shall be borrowed as herewith  
593 provided in any subsequent year unless all moneys so borrowed in  
594 any preceding year shall have been entirely paid as to both  
595 principal and interest.

596 Section 16.1. Personal Property Acquisition Financing.

597 (1) The board of trustees of the Indian River County  
598 Hospital District is hereby authorized and empowered, in order  
599 to acquire and finance the acquisition of capital assets in the  
600 form of personal property, to borrow money from time to time for  
601 periods not exceeding 10 years at any one time, from a bank,  
602 banks, banking institutions, or other lending institutions, from  
603 local, state, or federal government agencies, or as part of a  
604 pooled financing from designated lenders, and to repay such  
605 financing on an amortized, monthly or yearly basis, and to issue  
606 a note or notes of the district or enter into financing  
607 agreements, or loan or lease arrangements, on such terms and  
608 rates of interest, not to exceed the maximum rates permissible  
609 under Florida law.

610 (2) For any loans procured pursuant to subsection (1), the  
611 board of trustees of said district is further authorized and  
612 empowered to secure a note or notes, lease, or loan arrangements  
613 by executing such security instruments or lease instruments as



614 may be permitted by law if required by said lending institution  
615 or institutions, pledging as security the equipment acquired  
616 through the financing under this section.

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

621 Section 16.2. Revenue Bonds.

622 (1) The board of trustees of the district is authorized  
623 and empowered by resolution to issue and sell from time to time  
624 negotiable revenue bonds of the district for the purpose of  
625 raising funds to pay all or any part of the costs of any health  
626 facility or facilities and to provide such health and medical  
627 services as in its opinion are necessary or desirable in the  
628 district. In anticipation of the sale of such revenue bonds,  
629 the board of trustees of the district is authorized and  
630 empowered by resolution to issue negotiable bond anticipation  
631 notes and may renew the same from time to time, but the maximum  
632 maturity of any such note, including renewals thereof, shall not  
633 exceed 7 years from the date of issue of the original note.

634 Such notes shall be paid from any revenues of the district  
635 available therefor and not otherwise pledged or from the  
636 proceeds of the sale of revenue bonds of the district in  
637 anticipation of which they were issued.

638 (2) The revenue bonds and notes of every issue shall be  
639 payable solely out of the revenues derived by the district from  
640 the sale, operation, or leasing of any health facility or  
641 facilities, subject only to any agreements with the holders of



642 particular revenue bonds or notes pledging any particular  
643 revenues. Notwithstanding that the revenue bonds and notes may  
644 be payable from a special fund, they shall have all the quality  
645 of negotiable instruments under the Florida Uniform Commercial  
646 Code-Investment Securities and shall not be invalidated for any  
647 irregularity or defect in the proceedings for the issue and sale  
648 thereof, and shall be incontestable in the hands of bona fide  
649 purchasers or holders for value.

650 (3) The revenue bonds may be issued as serial bonds or as  
651 term bonds, or the district, in its discretion, may issue bonds  
652 of both types. The revenue bonds shall be authorized by  
653 resolution of the board of trustees of the district and shall  
654 bear such date or dates; mature at such time or times, not  
655 exceeding 40 years from their respective dates; bear interest at  
656 such rate or rates; be payable at such time or times; be in such  
657 denominations; be executed in such manner; be payable in lawful  
658 money of the United States at such place or places; and be  
659 subject to such terms of redemption, including redemption prior  
660 to maturity, as the board of trustees shall determine in such  
661 resolution or resolutions. The revenue bonds issued by the  
662 district are exempt from all taxation to the extent provided by  
663 the general law. The revenue bonds may be issued in coupon or  
664 in registered form, as the board of trustees may determine or in  
665 accordance with the Registered Public Obligations Act of  
666 Florida, chapter 83-271, Laws of Florida, and provisions may be  
667 made for the registration of coupon bonds as to principal alone,  
668 and as to both principal and interest, and for the reconversion  
669 into coupon bonds of any bonds as to both principal and





670 interest. The district shall determine the form and manner of  
671 execution of the revenue bonds, including interest coupons, if  
672 any, to be attached thereto, and shall fix the denomination or  
673 denominations of the revenue bonds and the place or places of  
674 payment of principal and interest, which may be at any bank or  
675 trust company within or without the state. In case any board  
676 member, officer, or employee of the district whose signature, or  
677 a facsimile of whose signature, shall appear on any bonds or  
678 coupons shall cease to be a board member, officer, or employee  
679 of the district before the delivery of such bonds, such  
680 signature or facsimile shall nevertheless be valid and  
681 sufficient for all purposes as if he or she had remained in  
682 office until such delivery. The district may also provide for  
683 the authentication of the revenue bonds by a trustee, fiscal  
684 agent, or registrar. The revenue bonds or notes may be sold at  
685 public or private sale for such price or prices as the district  
686 shall determine. Pending preparation of the definitive bonds,  
687 the district may issue interim or temporary receipts or  
688 certificates which shall be exchanged for such definitive bonds.

689 (4) Revenue bonds may be issued under the provision of  
690 this section without obtaining the approval or consent of any  
691 commission, board, or agency of the state or the country and  
692 without any other proceedings or the happening of any other  
693 condition or things.

694 (5) Any resolution or resolutions authorizing any revenue  
695 bonds or any issue of revenue bonds may contain provisions which  
696 shall be a part of the contract with the holders of the revenue  
697 bonds to be authorized as to:



698        (a) Pledging of all or any part of the revenues of a  
699 health facility or of the district to secure the payment of the  
700 revenue bonds or of any particular issue of revenue bonds,  
701 subject to such agreements with bondholders as may then exist.

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

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

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

709        (e) Limitations on the purpose to which the proceeds of  
710 sale of any issue of revenue bonds then or thereafter to be  
711 issued may be applied and pledging such proceeds to secure the  
712 payment of the revenue bonds or any issue of the revenue bonds.

713        (f) Limitations on the issuance of additional bonds, the  
714 terms upon which additional bonds may be issued and secured, and  
715 the refunding of outstanding bonds.

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

720        (h) Defining the acts or omissions to act which shall  
721 constitute a default in the duties of the district to holders of  
722 its obligations and providing the rights and remedies of such  
723 holders in the event of a default.

724        (6) Neither the members of the board of trustees of the  
725 district nor any person executing the revenue bonds or notes



726 shall be liable personally on the revenue bonds or notes or be  
727 subject to any personal liability or accountability by reason of  
728 the issuance thereof.

729 (7) In the discretion of the district, any revenue bonds  
730 issued under the provisions of this part may be secured by a  
731 trust agreement by and between the district and a corporate  
732 trustee, which may be any trust company or bank having the  
733 powers of a trust company within or without the state. Such  
734 trust agreement or resolution providing for the issuance of such  
735 bonds may pledge or assign the fees, rents, charges, or proceeds  
736 from the sale of any health facility or part thereof, insurance  
737 proceeds, condemnation awards, and other funds and revenues to  
738 be received therefor as security for repayment of the bonds.  
739 Such bonds shall contain such provisions for protecting and  
740 enforcing the rights and remedies of the bondholders as may be  
741 reasonable and proper and not in violation of law, including  
742 covenants setting forth the duties of the district in relation  
743 to the acquisition of property and the construction,  
744 improvement, maintenance, repair, operation, and insurance of  
745 the health facility or facilities in connection with which such  
746 bonds shall have been authorized; the fees, rents, and other  
747 charges to be fixed and collected; the sale of any health  
748 facility, or part thereof, or other property; the terms and  
749 conditions for the issuance of additional bonds; and the  
750 custody, safeguarding, and application of all moneys. It shall  
751 be lawful for any bank or trust company incorporated under the  
752 laws of the state which may act as depository of the proceeds of  
753 bonds, revenues, or other money hereunder to furnish such



754 indemnifying bonds or to pledge such securities as may be  
755 required by the district. Any such trust agreement or  
756 resolution shall set forth the rights and remedies of the  
757 bondholders and of the trustee and may restrict the individual  
758 right of action by bondholders. In addition to the foregoing,  
759 any such trust agreement or resolution may contain such other  
760 provisions as the district may deem reasonable and proper for  
761 the security of the bondholders. All expenses incurred in  
762 carrying out the provisions of such trust agreement or  
763 resolution may be treated as a part of the cost of the health  
764 facility or facilities in connection with which bonds are issued  
765 or as an expense of administration of such health facilities as  
766 the case may be.

767 (8) Revenue bonds issued under the provisions hereof shall  
768 not be deemed to constitute a debt, liability, or obligation of  
769 the state or any political subdivision thereof or of the  
770 district, or a pledge of the faith and credit of the state or  
771 any political subdivision thereof, but shall be payable solely  
772 from the revenues provided therefor. All such revenue bonds  
773 shall contain on the face thereof a statement to the effect that  
774 the district shall not be obligated to pay the same or the  
775 interest thereon except from the revenues of or derived from the  
776 health facility or of the district, or any portion thereof, and  
777 that neither the faith and credit nor the taxing power of the  
778 state or of any political subdivision thereof, including the  
779 district, is pledged to the payment of the principal of or the  
780 interest on such bonds. The issuance of revenue bonds under the  
781 provisions of this section shall not directly, indirectly, or



782 contingently obligate the state or any political subdivision  
783 thereof or the district to levy or to pledge any form of  
784 taxation whatever therefor or to make any appropriation for  
785 their payment.

786 (9)(a) The district is hereby authorized to fix and  
787 collect fees, rents, and charges for the use of any health  
788 facility and any part or section thereof. The district may  
789 require that the lessee or operator of any health facility or  
790 part thereof shall operate, repair, and maintain the health  
791 facility and bear the cost thereof and other costs of the  
792 district in connection with the health facility or facilities  
793 leased as may be provided in the financing agreement or other  
794 contract with the district, in addition to other obligations  
795 imposed under such financing agreement or contract.

796 (b) The repayments, fees, rents, and charges to the lessee  
797 shall be fixed as to provide a fund at least sufficient to pay  
798 the principal of, and the interest on, such bonds as the same  
799 shall become due and payable and to create reserves, if any,  
800 deemed by the district to be necessary for such purposes. The  
801 repayments, fees, rents, charges, and all other revenues and  
802 proceeds derived from the health facility or facilities in  
803 connection with which the revenue bonds of any issue shall have  
804 been issued, except such part thereof as may be necessary for  
805 such reserves or any expenditures as may be provided in the  
806 resolution authorizing the issuance of such bonds or in the  
807 trust agreement securing the same, may be set aside at such  
808 regular intervals as may be specified in such resolution or such  
809 trust agreement in one or more sinking funds which may be



810 pledged to, and charged with, the payment of the principal of  
811 and the interest on such bonds as the same shall become due and  
812 the redemption price or the purchase price of bonds retired by  
813 call or purchase as therein provided. Such pledge shall be  
814 valid and binding from the time when the pledge is made.  
815 Notwithstanding any provision of the Florida Uniform Commercial  
816 Code requiring the filing of any pledge to create a perfected  
817 security interest, the repayments, fees, rents, charges, and  
818 other revenues and moneys so pledged and thereafter received by  
819 the district shall immediately be subject to the lien of such  
820 pledge without any physical delivery thereof or further act, and  
821 the lien of any such pledge shall be valid and binding as  
822 against all parties having claims of any kind in tort, contract,  
823 or otherwise against the district, irrespective of whether such  
824 parties have notice thereof. The use and disposition of money  
825 to the credit of such sinking fund shall be subject to the  
826 provisions of the resolution authorizing the issuance of such  
827 bonds or of such trust agreement. Except as may otherwise be  
828 provided in the resolution or the trust agreement, the sinking  
829 fund shall be a fund for all such bonds without distinction or  
830 priority of one over another.

831 Section 17. Bonds Payable From Ad Valorem Taxes.

832 (1) The board of trustees of the Indian River County  
833 Hospital District is authorized and empowered by resolution to  
834 issue and sell, from time to time, ad valorem bonds of the  
835 district for the purpose of raising funds to purchase,  
836 establish, construct, equip, and maintain such health facilities  
837 for the provision of such health and medical services as in its



838 opinion are necessary or desirable in the district. All ad  
839 valorem bonds issued as herein authorized shall be of the  
840 denomination of \$100 or some multiple thereof, shall bear  
841 interest at a rate not to exceed the maximum rate permissible  
842 under Florida law, payable semiannually, and both principal and  
843 interest shall be payable at such place or places as the board  
844 of trustees may determine. The form of such bonds shall be  
845 fixed by resolution of the board of trustees, and such bonds  
846 shall be signed by the chair of the board of trustees and shall  
847 have the seal of the Indian River County Hospital District  
848 affixed thereto. The ad valorem bonds may be issued in coupon  
849 or in registered form, as the board of trustees may determine in  
850 accordance with the Registered Public Obligations Act of  
851 Florida, chapter 83-271, Laws of Florida, and provisions may be  
852 made for the registration of coupon bonds as to principal alone,  
853 and as to both principal and interest, and for the reconversion  
854 into coupon bonds of any bonds registered as to both principal  
855 and interest. Ad valorem bonds so executed shall be valid  
856 notwithstanding any change in the persons holding said office or  
857 in the seal occurring after such execution. The ad valorem  
858 bonds shall be due not more than 40 years from the date thereof  
859 as the board of trustees may determine, and shall be exempt from  
860 all state, county, and city taxation. All the ad valorem bonds  
861 issued by the Indian River County Hospital District shall have  
862 all the quality of negotiable instruments under the Florida  
863 Uniform Commercial Code-Investment Securities and shall not be  
864 invalidated for any irregularity or defect in the proceedings  
865 for the issue and sale thereof, and shall be incontestable in



866 the hands of a bona fide purchasers or holders thereof for  
867 value. The bonds in this section authorized and empowered to be  
868 issued shall be issued only after the same have been approved by  
869 the majority of votes cast in an election of the qualified  
870 voters residing in the district. Such election shall be called,  
871 held, and conducted in the manner as provided by the general law  
872 of the state.

873 (2) Prior to the issuance of such ad valorem bonds, the  
874 board of trustees shall, by resolution, determine the amount,  
875 not exceeding 5 mills on the dollar, which, in their opinion,  
876 will be necessary to be raised annually by taxation for an  
877 interest and sinking fund with which to pay the interest and  
878 principal of the ad valorem bonds. The board of trustees is  
879 authorized, empowered, and required to provide for the levy and  
880 collection annually of a sufficient tax, not exceeding 5 mills  
881 on the dollar, upon all the taxable property in the district, to  
882 pay such interest, and with which to provide and maintain a  
883 sinking fund for the payment of the principal of the ad valorem  
884 bonds and any ad valorem bonds which may have been assumed by  
885 the board.

886 (3) The board of trustees shall offer the ad valorem bonds  
887 for sale by notice stating the amount of ad valorem bonds for  
888 sale, the maximum rate of interest and when due and payable, by  
889 advertising once a week for 2 weeks in a newspaper published in  
890 the district. The board of trustees shall receive bids for the  
891 purchase of the ad valorem bonds or any part thereof on the date  
892 fixed by the notice, being not less than 20 days from the date  
893 of first publication. The board shall have the right to reject





894 any and all bids and readvertise the ad valorem bonds or any  
895 portion thereof remaining unsold.

896 (4) A bank or banks or other depository or depositories to  
897 be designated by the board of trustees shall receive and be  
898 custodian of the ad valorem bonds and moneys arising from the  
899 sale of said ad valorem bonds.

900 Section 17.1. Refunding Bonds.

901 (1) The board of trustees of the district is authorized  
902 and empowered by resolution to issue and sell, from time to  
903 time, refunding bonds of the district for the purpose of  
904 refunding any bonds then outstanding and issued under the  
905 provisions of sections 16.2 and 17, including any redemption  
906 premium, and any interest accrued or to accrue to the earliest  
907 or subsequent date of redemption, purchase, or maturity of such  
908 bonds, and, if deemed advisable by the board of trustees, for  
909 the additional purpose of paying all or any part of the cost of  
910 constructing and acquiring additions, improvements, extensions,  
911 or enlargements of a health facility or any portion thereof and  
912 the costs of issuance of the bonds and the amounts necessary to  
913 establish any reserve or other funds required to be established  
914 in connection therewith.

915 (2) The proceeds of any such bonds issued for the purpose  
916 of refunding outstanding bonds may, in the discretion of the  
917 board of trustees, be applied to the purchase or retirement at  
918 maturity or redemption of such outstanding bonds either on their  
919 earliest or any subsequent redemption date or upon the purchase  
920 or at the maturity thereof and may, pending such application, be  
921 placed in escrow to be applied to such purchase or retirement at



922 maturity or redemption on such date as may be determined by the  
923 board of trustees.

924 (3) Any such escrowed proceeds, pending such use, may be  
925 invested and reinvested in obligations of, or guaranteed by, the  
926 United States of America, or any agency or instrumentality  
927 thereof presently existing or hereafter created or in  
928 certificates of deposit or time deposits secured by obligations  
929 of, or guaranteed by, the United States of America, maturing at  
930 such time or times as shall be appropriate to assure the prompt  
931 payment, as to the principal, interest, and redemption premium,  
932 if any, of the outstanding bonds to be so refunded. The  
933 interest, income, and profits, if any, earned or realized on any  
934 such investment may also be applied to the payment of the  
935 outstanding bonds to be so refunded. After the terms of the  
936 escrow have been fully satisfied and carried out, any balance of  
937 such proceeds and interest, income, and profits, if any, earned  
938 or realized on the investments thereof may be returned to the  
939 district for use by it in any lawful manner.

940 (4) The portion of the proceeds of any such bonds issued  
941 for the additional purpose of paying all or any part of the cost  
942 of constructing and acquiring additions, improvements,  
943 extensions, or enlargements of a health facility may be invested  
944 and reinvested in obligations of, or guaranteed by, the United  
945 States of America, or in certificates of deposit or time  
946 deposits secured by obligations of, or guaranteed by, the United  
947 States of America, maturing not later than the time or times  
948 when such proceeds will be needed for the purpose of paying all  
949 or any part of such cost. The interest, income, and profits, if



950 any, earned or realized on such investment may be applied to the  
951 payment of all or any part of such cost or may be used by the  
952 district in any lawful manner.

953 (5) The issuance of such obligations, the maturities and  
954 other details thereof, the rights and remedies of the holders  
955 thereof, and the rights, powers, privileges, duties, and  
956 obligations of the district with respect to the same shall be  
957 governed by the provisions hereof, as amended, as they may be  
958 applicable. The refunding bonds issued by the district are  
959 exempt from all taxation to the extent provided by general law.

960 Section 18. Validation of Bonds. Any and all bonds issued  
961 under the provisions of this act may be validated by the board  
962 of trustees for said Indian River County Hospital District under  
963 and in accordance with the provisions of the general laws of  
964 Florida, in the same manner as is therein provided for  
965 validation of bonds, etc., by any county, municipality, taxing  
966 district, etc., of the State of Florida.

967 Section 19. Indigents. Each hospital and clinic  
968 established under this act shall be for the use and benefit of  
969 the indigent sick who have resided in such County for not less  
970 than 1 year next preceding application for admission for  
971 treatment. Such residents shall be admitted to such hospital  
972 and clinic and be entitled to medical care without charge,  
973 subject to the rules and regulations prescribed by said board of  
974 trustees. Such hospital and clinics shall care for and treat  
975 without charge only such patients who are found by such board of  
976 trustees to be indigent, but such board may collect from  
977 patients financially able such charges as such board of trustees



978 may, from time to time, establish. Such board of trustees shall  
979 have the power to extend the benefits and privileges of such  
980 hospitals and clinics and treatment and outpatient department to  
981 the homes of the indigent residents of such county. Said board  
982 of trustees may extend the privileges and use of such hospitals  
983 and clinics to nonresidents of such district upon such terms and  
984 conditions as the said board may from time to time by its rules  
985 and regulations provide, provided, however, that the indigent  
986 residents of the district wherein such hospitals and clinics are  
987 located shall have the first claim to admission.

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

992 Section 20. Eminent Domain. The board shall have the  
993 power of eminent domain and may thereby condemn and acquire any  
994 real property which the board may deem necessary for the use of  
995 said district. Such power of condemnation shall be exercised in  
996 the same manner as is now provided by the general law for the  
997 exercise of the power of eminent domain by cities and towns of  
998 the State of Florida.

999 Section 21. Donations. Any person or persons, firm,  
1000 organizations, corporations, or society, public or private,  
1001 municipal corporations, or municipalities desiring to make  
1002 donations of money, personal property, or real estate for the  
1003 benefit of such hospital, for the creation of a memorial or an  
1004 endowment, or for any other purpose shall have the right to vest  
1005 title of the money, personal property, or real estate so donated



1006 in said board of trustees to be controlled when accepted by the  
1007 board of trustees of said hospital according to the terms of the  
1008 deed, gift, devise, or bequest of such property.

1009 Section 22. Liberal Construction. It is intended that the  
1010 provisions of this act shall be liberally construed for  
1011 accomplishing the work authorized and provided for or intended  
1012 to be and provided for in this act, and where strict  
1013 construction would result in the defeat of the accomplishment of  
1014 any part of the work authorized by this act and a liberal  
1015 construction would permit or assist in the accomplishment  
1016 thereof, the liberal construction shall be chosen.

1017 Section 23. Invalidity. Any clause or section of this act  
1018 which for any reason may be held or declared invalid, may be  
1019 eliminated and the remaining portion or portions thereof shall  
1020 be and remain in full force and be valid as if such invalid  
1021 clause or section had not been incorporated therein.

1022 Section 24. Retirement Program. The board of trustees  
1023 shall have the power to provide a retirement program for the  
1024 Indian River County Hospital District employees; to establish  
1025 qualifications for coverage under the program; to pay any part  
1026 or all of the cost of such program; to contract with any company  
1027 licensed to do business in Florida for the establishment and  
1028 operation of the program; to charge its covered employees for  
1029 the employees' share of the cost of the program; to take such  
1030 other action as may be necessary to establish and operate the  
1031 retirement program; and to withdraw, by resolution of the board  
1032 of trustees, from the State and County Officers and Employees'  
1033 Retirement System of Florida, as established by chapter 122,



1034 Florida Statutes. All general, special, or local laws or parts  
1035 thereof inconsistent herewith are declared to be inapplicable to  
1036 the provisions of this act, including specifically section  
1037 122.061, Florida Statutes, which shall not apply and which is  
1038 hereby amended insofar as it prohibits the withdrawal of the  
1039 Indian River County Hospital District and its employees from the  
1040 retirement system. In the event that the board of trustees  
1041 adopts a resolution by which the Indian River County Hospital  
1042 District and its employees shall be withdrawn from the State and  
1043 County Officers and Employees' Retirement System, such  
1044 withdrawal shall become effective on the first day of the next  
1045 month following the adoption of such resolution, and the board  
1046 of trustees shall send a certified copy of the resolution to the  
1047 Department of Management Services. Beginning on the first day  
1048 of the next month following the adoption of the resolution, the  
1049 Indian River County Hospital District shall not be required to  
1050 contribute to the State and County Officers and Employees'  
1051 Retirement System, and its employees shall not thereafter be  
1052 participants in said system. Following the adoption of the  
1053 resolution, 100 percent of the contributions previously made to  
1054 the state retirement system shall be refunded to the employees  
1055 of the Indian River County Hospital District and the said  
1056 district, without interest, and the Department of Management  
1057 Services shall make such refunds upon application therefor by  
1058 each employee and the district, notwithstanding any other  
1059 provisions of the general law relating to such refund.

1060 Section 24.1. Employee Insurance. The Indian River County  
1061 Hospital District is authorized and empowered to provide for



1062 life and disability and medical insurance for all or any of its  
1063 employees or officers on a group insurance plan, or other  
1064 acceptable plan, approved by the board of trustees of the Indian  
1065 River County Hospital District, and to establish and create by  
1066 resolution such other employee benefit programs as the board of  
1067 trustees may deem proper for any groups of officers or employees  
1068 of the district qualified for such program, and to pay all or  
1069 such portion of the costs of any such plan or program from funds  
1070 available to the district from such balance thereof, if any, as  
1071 the board of trustees by resolution may determine for any and  
1072 all groups of officers or employees of the Indian River County  
1073 Hospital District.

1074 Section 25. Tax Anticipation Financing; Additional  
1075 Provisions. In addition to any other obligations authorized  
1076 under this act, the board of trustees of the Indian River County  
1077 Hospital District is hereby authorized to borrow a sum not to  
1078 exceed the maximum outstanding amount at any time of \$15 million  
1079 and to evidence such loan made to the district by its tax  
1080 anticipation note or notes bearing interest at a rate not to  
1081 exceed the maximum rate permissible under Florida law. The sum  
1082 so borrowed shall be repaid together with interest at a rate not  
1083 to exceed the maximum rate permissible under Florida law. The  
1084 notes authorized in this section shall be made only after the  
1085 same have been approved by the majority of votes cast in an  
1086 election in which the majority of qualified voters residing in  
1087 the district shall participate. Such election shall be called,  
1088 held, and conducted in the manner as provided by the general law  
1089 of the state.



1090           Section 4. Chapters 61-2275, 63-1432, 65-1708, 67-1515,  
1091 67-1516, 71-688, 72-568, 74-499, 76-387, 84-451, 99-485, and  
1092 2002-345, Laws of Florida, are repealed.

1093           Section 5. If any provision of this act or its application  
1094 to any person or circumstance is held invalid, the invalidity  
1095 does not affect other provisions or applications of the act  
1096 which can be given effect without the invalid provision or  
1097 application, and to this end the provisions of this act are  
1098 declared severable.

1099           Section 6. This act shall take effect upon becoming a law.  
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