

By Senator Geller

31-2130-03

See HB 1567

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

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

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20 Section 1. Section 3 of chapter 2000-461, Laws of
21 Florida, is amended to read:22 Section 3. Membership.--Such council shall consist of
23 11 ~~10~~ members, including:24 (1) The senior administrator of the Broward County
25 Health Department; the superintendent of schools; a local
26 school board member, chosen by a majority of the School Board
27 of Broward County; the district administrator from district X
28 of the Department of Children and Family Services, or his or
29 her designee who is a member of the Senior Management Service
30 or of the Selected Exempt Service; one member of the County
31 Commission, chosen by a majority of the Broward County Board

1 of County Commissioners; and a judge assigned to juvenile
2 cases who shall sit as a voting member of the board, except
3 that said judge shall not vote or participate in the setting
4 of ad valorem taxes under this section. The chief judge of the
5 17th judicial circuit shall designate which judge shall serve
6 on the board. All of the proceeding members shall serve 4-year
7 terms effective January 2, 2001, except the senior
8 administrator of the Broward County Health Department, who
9 shall serve a 4-year term effective October 1, 2004.

10 (2) The remaining five members shall be appointed by
11 the Governor, and shall, to the extent possible, represent the
12 demographic diversity of the population of Broward County.
13 After soliciting recommendations from the public, the Broward
14 County Board of County Commissioners shall submit to the
15 Governor the names of at least three persons for each vacancy
16 occurring among the five members to be appointed by the
17 Governor, and the Governor shall appoint members to the
18 council from the candidates nominated. The Governor shall make
19 a selection within a 45-day period or request a new list of
20 candidates. All members appointed by the Governor shall have
21 been residents of the county for the previous 24-month period.
22 Such members shall be appointed for 4-year terms, except that
23 the length of the terms of the initial appointees shall be for
24 2 years. The Governor may remove a member for cause or upon
25 the written petition of a majority of the County Commission
26 plus one. If any of the members of the council required to be
27 appointed by the Governor under the provisions of this
28 subsection shall resign, die, or be removed from office, the
29 vacancy thereby created shall, as soon as practicable, be
30 filled by appointment by the Governor, using the same method
31 as the original appointment, and such appointment to fill a

1 vacancy shall be for the unexpired term of the person who
2 resigns, dies, or is removed from office.

3 Section 2. Section 5 of chapter 2000-461, Laws of
4 Florida, is amended to read:

5 Section 5. Fiscal Year.--

6 (1) The fiscal year of the District shall be the same
7 as that of Broward County.

8 (2) On or before July 1 of each year, the Children's
9 Services Council of Broward County shall prepare and adopt a
10 tentative ~~an~~ annual written budget of its expected income and
11 expenditures, including a contingency fund. The tentative
12 annual written budget shall be ~~certified and~~ delivered to the
13 Board of County Commissioners on or before July 1 of each
14 year. Included in each tentative annual ~~certified~~ budget shall
15 be an estimate of the millage rate necessary to be applied to
16 raise the funds budgeted for expenditures, which millage rate
17 shall not exceed a maximum of 50 cents for each \$1,000 of
18 assessed valuation of all properties within the County which
19 are subject to County taxes. The adopted annual budget and
20 final millage rate shall be certified and delivered to the
21 Board of County Commissioners within 15 days following the
22 council's adoption of final budget and millage rate pursuant
23 to chapter 200, Florida Statutes.

24 (3) The budget of the Children's Services Council so
25 certified and delivered to the Board of County Commissioners
26 shall not be subject to change or modification by the Board of
27 County Commissioners or any other authority.

28 Section 3. Section 6 of chapter 2000-461, Laws of
29 Florida, is amended to read:

30 Section 6. Levying of Ad Valorem Taxes.--In order to
31 provide funds for the Children's Services Council of Broward

1 County, the council may levy ad valorem taxes annually on all
2 taxable property in the County in an amount not to exceed
3 one-half mill, provided that the authority to levy such taxes
4 has been approved by a majority vote of the electors of the
5 District voting in the Countywide Election to be held in
6 accordance with the requirements of the constitution and the
7 laws of Florida and as set forth in this act. The council
8 shall compute a proposed millage rate within the
9 voter-approved cap necessary to fund the tentative budget and,
10 prior to adopting a final budget, comply with the provisions
11 of section 200.065, Florida Statutes, relating to the method
12 of fixing millage, and shall fix the final millage rate by
13 resolution of the council.~~The tax shall be assessed, levied,~~
14 ~~and collected in the same manner and at the same time as is~~
15 ~~provided by law of the levy, collection, and enforcement of~~
16 ~~collection of County taxes.~~All tax money collected under this
17 act, as soon after the collection thereof as is reasonably
18 practicable, shall be paid directly to the Children's Services
19 Council by the Tax Collector of the County and all other
20 applicable County officials. Notwithstanding any general law
21 or special act to the contrary, the council shall have an
22 exemption from remitting to any community development agency
23 any fees, taxes, or incremental tax revenues attributable to
24 increased property valuations within each applicable community
25 redevelopment area.The moneys so received by the Children's
26 Services Council, shall be deposited in a special bank
27 account, shall be withdrawn only by checks signed by the chair
28 of the council and countersigned by one other member of the
29 council, who shall be so authorized by the council. The chair
30 and other member of the council who signs its checks shall
31 each give a surety bond in the amount of \$1,000 which bond

1 shall be conditioned that each shall faithfully discharge the
2 duties of their office. No other member of the council shall
3 be required to give bond or other security. No funds of the
4 council shall be expended except by check as aforesaid, except
5 expenditures of petty cash account which shall not at any time
6 exceed \$100. All expenditures from petty cash shall be
7 recorded on the books and records of the Children's Services
8 Council. No funds of the council, except the expenditure of
9 petty cash or issuance of checks made payable for sums no
10 greater than \$5,000, shall be expended without prior approval
11 of the council, in addition to the budgeting thereof. Budgeted
12 expenditures of \$5,000 or less that have not received prior
13 council approval shall only be authorized upon approval of the
14 chief executive officer of the council and shall be reported
15 to the council by written report on a monthly basis. For the
16 purposes of this section, electronic wire transfers shall be
17 deemed checks if written authorization for each wire transfer
18 is obtained from the council chair and by an authorized
19 council member.

20 Section 4. This act shall take effect upon becoming a
21 law.

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