



HB 0583

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CHAMBER ACTION

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The Committee on Local Government & Veterans' Affairs recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to the indigent care surtax; amending s. 212.055, F.S.; allowing small counties having a specified population to levy an indigent care surtax; providing procedures; providing uses of the surtax; providing a maximum tax rate; providing an effective date.

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

Section 1. Subsection (7) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.--It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the



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29 maximum length of time the surtax may be imposed, if any; the
30 procedure which must be followed to secure voter approval, if
31 required; the purpose for which the proceeds may be expended;
32 and such other requirements as the Legislature may provide.
33 Taxable transactions and administrative procedures shall be as
34 provided in s. 212.054.

35 (7) VOTER-APPROVED INDIGENT CARE SURTAX.--

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

44 2. Notwithstanding subparagraph 1., the governing body of
45 any county that has a population of fewer than 30,000 residents
46 may levy an indigent care surtax pursuant to an ordinance
47 conditioned to take effect only upon approval by a majority vote
48 of the electors of the county voting in a referendum. The surtax
49 may be levied at a rate not to exceed 1 percent.

50 (b) If the surtax is conditioned to take effect upon
51 approval in a referendum, a statement that includes a brief and
52 general description of the purposes to be funded by the surtax
53 and that conforms to the requirements of s. 101.161 shall be
54 placed on the ballot by the governing body of the county. The
55 following questions shall be placed on the ballot:
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57 FOR THE. . . .CENTS TAX
58 AGAINST THE. . . .CENTS TAX
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60 (c)1. The ordinance adopted by the governing body
61 providing for the imposition of the surtax must set forth a plan
62 for providing health care services to qualified residents, as
63 defined in paragraph (d). The plan and subsequent amendments to
64 it shall fund a broad range of health care services for indigent
65 persons and the medically poor, including, but not limited to,
66 primary care and preventive care, as well as hospital care. It
67 shall emphasize a continuity of care in the most cost-effective
68 setting, taking into consideration a high quality of care and
69 geographic access. Where consistent with these objectives, it
70 shall include, without limitation, services rendered by
71 physicians, clinics, community hospitals, mental health centers,
72 and alternative delivery sites, as well as at least one regional
73 referral hospital where appropriate. It shall provide that
74 agreements negotiated between the county and providers shall
75 include reimbursement methodologies that take into account the
76 cost of services rendered to eligible patients, recognize
77 hospitals that render a disproportionate share of indigent care,
78 provide other incentives to promote the delivery of charity
79 care, and require cost containment, including, but not limited
80 to, case management. The plan must also include innovative
81 health care programs that provide cost-effective alternatives to
82 traditional methods of service delivery and funding.

83 2. In addition to the uses specified or services required
84 to be provided under this subsection, the ordinance adopted by a



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85 county that has a population of fewer than 30,000 residents may
86 pledge surtax proceeds to service new or existing bond
87 indebtedness incurred to finance, plan, construct, or
88 reconstruct a public or not-for-profit hospital in such county
89 and any land acquisition, land improvement, design, or
90 engineering costs related to such hospital, if the governing
91 body of the county determines that a public or not-for-profit
92 hospital existing at the time of issuance of the bonds
93 authorized under this subparagraph would, more likely than not,
94 otherwise cease to operate. The plan required under this
95 paragraph may, by an extraordinary vote of the governing body of
96 such county, provide that some or all of the surtax revenues and
97 any interest earned must be expended for the purpose of
98 servicing such bond indebtedness. Such county may also use the
99 services of the Division of Bond Finance of the State Board of
100 Administration pursuant to the State Bond Act to issue bonds
101 under this subparagraph. A jurisdiction may not issue bonds
102 under this subparagraph more frequently than once per year. Any
103 county that has a population of fewer than 30,000 residents at
104 the time any bonds authorized in this subparagraph are issued
105 retains the authority granted under this subparagraph throughout
106 the terms of such bonds, including the term of any refinancing
107 bonds, regardless of any subsequent increase in population which
108 would result in such county having 30,000 or more residents.

109 (d) For the purpose of this subsection, "qualified
110 residents" means residents of the authorizing county who are:

111 1. Qualified as indigent persons as certified by the
112 authorizing county;



113 2. Certified by the authorizing county as meeting the
 114 definition of the medically poor, defined as persons having
 115 insufficient income, resources, and assets to provide the needed
 116 medical care without using resources required to meet basic
 117 needs for shelter, food, clothing, and personal expenses; not
 118 being eligible for any other state or federal program or having
 119 medical needs that are not covered by any such program; or
 120 having insufficient third-party insurance coverage. In all
 121 cases, the authorizing county shall serve as the payor of last
 122 resort; or

123 3. Participating in innovative, cost-effective programs
 124 approved by the authorizing county.

125 (e) Moneys collected pursuant to this subsection remain
 126 the property of the state and shall be distributed by the
 127 Department of Revenue on a regular and periodic basis to the
 128 clerk of the circuit court as ex officio custodian of the funds
 129 of the authorizing county. The clerk of the circuit court shall:

130 1. Maintain the moneys in an indigent health care trust
 131 fund.

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

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

137 4. Disburse the funds, including any interest earned, to
 138 service any bond indebtedness authorized in this subsection upon
 139 directive from the authorizing county, which directive may be
 140 irrevocably given at the time the bond indebtedness is incurred.



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141 (f) Notwithstanding any other provision of this section, a
142 county may not levy local option sales surtaxes authorized in
143 this subsection and subsections (2) and(3) in excess of a
144 combined rate of 1 percent or, if a publicly supported medical
145 school is located in the county or the county has a population
146 of fewer than 30,000 residents, in excess of a combined rate of
147 1.5 percent.

148 Section 2. This act shall take effect upon becoming a law.