

HB 1405

2004

A bill to be entitled

An act relating to Broward County; amending chapter 2000-461, Laws of Florida, relating to the Children's Services Council of Broward County; increasing the membership of the council; revising the requirements concerning delivery of the written budget to Broward County; revising procedures concerning levying of ad valorem taxes; limiting the expenditure of fees, taxes, or incremental tax revenues paid to community redevelopment agencies for children's programs and services; requiring interlocal agreements between the council and applicable community redevelopment agencies; providing expenditure authority and procedures for budgeted funds up to \$5,000; authorizing expenditures by electronic wire transfers under specified procedures; providing an effective date.

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

Section 1. Section 3 of chapter 2000-461, Laws of Florida, is amended to read:

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

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

HB 1405

2004

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

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

HB 1405

2004

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

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

63 Section 5. Fiscal Year.--

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

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

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

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

87 Section 6. Levying of Ad Valorem Taxes.--In order to

HB 1405

2004

88 provide funds for the Children's Services Council of Broward
 89 County, the council may levy ad valorem taxes annually on all
 90 taxable property in the County in an amount not to exceed one-
 91 half mill, provided that the authority to levy such taxes has
 92 been approved by a majority vote of the electors of the District
 93 voting in the Countywide Election to be held in accordance with
 94 the requirements of the constitution and the laws of Florida and
 95 as set forth in this act. The council shall compute a proposed
 96 millage rate within the voter-approved cap necessary to fund the
 97 tentative budget and, prior to adopting a final budget, comply
 98 with the provisions of section 200.065, Florida Statutes,
 99 relating to the method of fixing millage, and shall fix the
 100 final millage rate by resolution of the council. ~~The tax shall~~
 101 ~~be assessed, levied, and collected in the same manner and at the~~
 102 ~~same time as is provided by law of the levy, collection, and~~
 103 ~~enforcement of collection of County taxes.~~ All tax money
 104 collected under this act, as soon after the collection thereof
 105 as is reasonably practicable, shall be paid directly to the
 106 Children's Services Council by the Tax Collector of the County
 107 and all other applicable County officials. All funds remitted by
 108 the council to any community redevelopment agency, including any
 109 fees, taxes, or incremental tax revenues attributable to
 110 increased property valuations within each applicable community
 111 redevelopment area, shall only be expended for children's
 112 programs and services. Each applicable community redevelopment
 113 agency shall enter into and have an effective interlocal
 114 agreement concerning such programs and services with the council
 115 prior to the expenditure of such funds. The moneys so received
 116 by the Children's Services Council, shall be deposited in a

HB 1405

2004

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

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