

ENROLLED
HB 1453, Engrossed 1

2004 Legislature

A bill to be entitled

An act relating to the North Sumter County Hospital District; providing a popular name; providing district purpose; providing district boundaries; providing for a board of trustees as the governing body of the district; prescribing the powers and duties of the board; providing for compensation and meetings of the board; authorizing the board to levy and collect an annual ad valorem tax upon taxable property within the district; providing for a referendum; providing for purpose of the tax; providing for a method for such levy; providing for an annual report; providing for financial disclosure; providing for liens and foreclosure of liens; providing for severability; providing an effective date.

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

Section 1. Establishment of district; boundaries.--

(1) This act may be referred to by the popular name the "North Sumter County Hospital District Act."

(2) There is created and established as an independent special taxing district of the state a hospital district in Sumter County to be known as the "North Sumter County Hospital District," which shall comprise and include the territory within Sumter County described as follows:

BEGIN AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 18 SOUTH, RANGE 23 EAST, AND RUN SOUTH ALONG THE

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EASTERLY BOUNDARY OF RANGE 18 EAST (SAID BOUNDARY
BEING THE EAST LINE OF SAID SUMTER COUNTY) TO THE
CENTERLINE OF STATE ROAD NO. 44; THENCE WESTERLY ALONG
THE CENTERLINE OF STATE ROAD NO. 44 TO ITS
INTERSECTION WITH THE CENTERLINE OF COUNTY ROAD C-44A;
THENCE NORTHWESTERLY ALONG THE CENTERLINE OF COUNTY
ROAD C-44A TO ITS INTERSECTION WITH THE CENTERLINE OF
COUNTY ROAD C-139; THENCE NORTH ALONG THE CENTERLINE
OF COUNTY ROAD C-139 TO ITS INTERSECTION WITH THE
CENTERLINE OF COUNTY ROAD C-466A; THENCE NORTH ALONG
THE CENTERLINE OF COUNTY ROAD C-462 AND ITS NORTHERLY
EXTENSION TO THE CENTERLINE OF COUNTY ROAD C-121;
THENCE NORTH ALONG THE CENTERLINE OF COUNTY ROAD 121
TO THE NORTH LINE OF THE FAIRWAYS AT ROLLING HILLS,
PLAT BOOK 4, PAGE 88, PUBLIC RECORDS OF SUMTER COUNTY,
FLORIDA, EXTENDED WESTERLY; THENCE EAST ALONG SAID
NORTH LINE AND ITS WESTERLY AND EXISTING EXTENSION TO
THE EAST LINE OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE
23 EAST; THENCE NORTH ALONG SAID EAST LINE TO THE
WATERS OF LAKE MIONA; THENCE WESTERLY AND NORTHERLY
ALONG THE WATERS OF LAKE MIONA TO ITS INTERSECTION
WITH THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF
RAVENSWOOD SUBDIVISION (UNRECORDED) LYING IN THE
SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20,
TOWNSHIP 18 SOUTH, RANGE 23 EAST; THENCE WEST ALONG
SAID NORTH LINE AND ITS EXTENSION TO THE CENTERLINE OF
COUNTY ROAD 117; THENCE SOUTH ALONG THE CENTERLINE OF
COUNTY ROAD 117 TO THE CENTERLINE OF COUNTY ROAD 114;

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THENCE WEST ALONG THE CENTERLINE OF COUNTY ROAD 114 TO THE CENTERLINE OF U.S. HIGHWAY 301; THENCE WEST ALONG THE CENTERLINE OF COUNTY ROAD 222 TO THE CENTERLINE OF COUNTY ROAD 223; THENCE NORTH ALONG THE CENTERLINE OF COUNTY ROAD 223 TO THE CENTERLINE OF COUNTY ROAD 466; THENCE WEST ALONG THE CENTERLINE OF COUNTY ROAD 466 TO THE CENTERLINE OF COUNTY ROAD 227; THENCE NORTH ALONG THE CENTERLINE OF COUNTY ROAD 227 TO THE SOUTH LINE OF SECTION 2, TOWNSHIP 18 SOUTH, RANGE 22 EAST; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 2 AND THE SOUTH LINE OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 22 EAST TO THE WEST LINE OF THE EAST 330.10 FEET OF SAID SECTION 3; THENCE NORTH ALONG SAID WEST LINE TO THE NORTH LINE OF TOWNSHIP 18 SOUTH SAID NORTH LINE BEING THE NORTHERLY BOUNDARY OF SUMTER COUNTY; THENCE EAST ALONG THE NORTH BOUNDARY OF TOWNSHIP 18 SOUTH AND ALONG THE NORTH BOUNDARY OF SUMTER COUNTY TO THE POINT OF BEGINNING.

Section 2. Purpose of the district.--The purpose of the North Sumter County Hospital District as a governmental entity is to ensure continued hospital services for the residents of the North Sumter County Hospital District, referred to in this act as the "district."

Section 3. Membership and organization of the governing board of the district.--

(1) GENERAL.--

(a) The North Sumter County Hospital District shall be governed by a board of trustees composed of five persons

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appointed by the Governor. The term of office of each trustee shall be 6 years and a trustee may serve more than one term. The initial terms shall be measured from the date this act becomes law. The trustees must reside within the North Sumter County Hospital District as defined in section 1. Each trustee shall serve until his or her successor is appointed and qualified. Any member of the board of trustees may be removed by the Governor at any time for cause, in which event such vacancy or vacancies thereby occurring shall be filled by appointment by the Governor. Vacant trustee seats created for reasons other than by removal shall be filled through appointment by the Governor; appointees shall serve until expiration of the term for which they are appointed.

(b) The members of the board of trustees shall serve without pay. Each member shall give a bond to the Board of County Commissioners of Sumter County for the use and benefit of the North Sumter County Hospital District for the faithful performance of his or her duties in the sum of \$1,000 with a surety company qualified to do business in this state as surety, which bond shall be approved and accepted by the Clerk of the Circuit Court of Sumter County. The premiums on such bond shall be paid by the district as part of the expenses of the district.

(c) Three of the trustees shall constitute a quorum, and a vote of a majority of the trustees in attendance at a meeting is necessary for the transaction of any business of the district. The board of trustees may select from among its membership a chair, vice chair, secretary, and treasurer. The board of trustees shall cause true and accurate minutes and records to be

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kept of all business transacted by the board and shall keep full, true, and complete books of account and minutes, which minutes and books shall be open and subject to inspection at all reasonable times during normal business hours. Any person desiring to do so may obtain a copy of the minutes and books of accounts or such portions thereof as he or she may desire upon payment of the costs of reproduction.

(2) ANNUAL MEETING.--The annual meeting shall be held during the month of January of each year at such time and place within the district as is determined by the board of trustees. The schedule and notice of this annual meeting shall be published as provided in section 189.417, Florida Statutes. The agenda at the annual meeting of the board of trustees shall include, but is not limited to:

(a) Call to order.

(b) Presentation and approval of minutes of the last annual meeting and of any special meeting held since that meeting.

(c) Financial report.

(d) Presentation of the annual report of the board of trustees.

(e) Transaction of any business that may properly be brought before the board.

(f) Election of officers of the board of trustees.

(3) SPECIAL MEETINGS.--Special meetings of the board of trustees may be called at any time by the chair or upon the written request of four members of the board of trustees. The

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notice for any special meeting of the board of trustees shall be published as provided in section 189.417, Florida Statutes.

Section 4. Powers, functions, and duties.--

(1) EMINENT DOMAIN.--The North Sumter County Hospital District, through its board of trustees, has the power of eminent domain.

(2) GENERAL POWERS.--The Board of Trustees of the North Sumter County Hospital District has all the powers of a body corporate, including the power to sue and be sued under the name of the North Sumter County Hospital District; to contract and be contracted with; to adopt and use a common seal; and to acquire, purchase, hold, lease, and convey such real and personal property as the board of trustees deems proper or expedient to carry out the purposes of this act.

(3) AD VALOREM TAXATION.--The Board of Trustees of the North Sumter County Hospital District may levy an ad valorem tax in the district of up to 1 mill on the dollar of the value of all nonexempt property within that area of Sumter County which comprises the North Sumter County Hospital District, provided, however, that the hospital district shall have no authority to levy such ad valorem tax unless such authority has been approved in a referendum by a majority vote of the electors residing within the district voting on the question. Such referendum shall be held not later than December 31, 2006, and conducted upon a resolution adopted by the board of trustees and in accordance with applicable Florida Statutes. Such tax shall be paid into the district fund.

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(4) TAX PROCEEDS TO BE USED TO CONTRACT WITH HOSPITALS FOR HEALTH CARE SERVICES.--All future tax proceeds generated from within the North Sumter County Hospital District, less the amount reserved annually by the board, in its discretion, to pay for the maintenance and services of the board, shall be used to contract for health care services with any hospital within the North Sumter County Hospital District licensed pursuant to chapter 395, Florida Statutes. The North Sumter County Hospital District may also contract with any foundation associated with such hospital, provided, however, that any such foundation shall not receive more than 20 percent of any funds made available by the board to use for contracting for health care services.

(5) ANNUAL FINANCIAL REPORT.--The Villages Tri-County Medical Center, Inc., and the Villages Regional Hospital Foundation, Inc., shall file annual audited financial statements with the North Sumter County Hospital District.

(6) COLLECTION OF TAXES.--It is the duty of the Property Appraiser of Sumter County to assess, and the Tax Collector of Sumter County to collect, the up to 1 mill tax levied by the Board of Trustees of the North Sumter County Hospital District upon the taxable property in the district. The tax collector shall collect such tax as levied by the board of trustees in the same manner as other taxes are collected and shall pay the same over to the Board of Trustees of the North Sumter County Hospital District within the time and in the manner prescribed by law for the payment of taxes to the county depository. It is the duty of the Department of Revenue to assess all such property in accordance with section 193.085, Florida Statutes.

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The amount of each county or state tax and the taxes for the district shall be assessed by the officer respectively as are county taxes upon such property, and such tax shall be remitted by the collecting officer to the Board of Trustees of the North Sumter County Hospital District. All such taxes shall be held by the Board of Trustees of the North Sumter County Hospital District and paid out by said board for purposes of this act.

(7) EXPENSES.--The Board of Trustees of the North Sumter County Hospital District may pay from the funds of the district all expenses of the organization of such board of trustees and all expenses necessarily incurred in the development of the district, as well as all other reasonable and necessary expenses, including the fees and expenses of a certified public accountant and an attorney as needed in the transaction of the business of the district in carrying out and accomplishing the purposes of this act. The board shall include in its annual budget a reserve in an amount deemed necessary by the board for its yearly expenses.

(8) FINANCIAL DISCLOSURE, NOTICE, AND REPORTING REQUIREMENTS.--At least once every year, the Board of Trustees of the North Sumter County Hospital District shall make and file with the Clerk of the Circuit Court of Sumter County a complete financial statement of all moneys received and distributed by the board since the development of the district as to the first statement so filed, and since the last statement so filed as to any other year. Such statements shall also show the several sources from which the funds were received and shall show the balance on hand at the time of the making of such statement. The

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statement shall show the complete statement of the financial condition of the district. Notice of the statement shall be filed with the Clerk of the Circuit Court of Sumter County and published in a newspaper regularly published in Sumter County, and the statement shall be made available at all reasonable times for inspection and copying. The Board of Trustees of the North Sumter County Hospital District shall comply with all financial disclosure and reporting requirements provided in general law.

(9) PREPARATION OF BUDGET.--The Board of Trustees of the North Sumter County Hospital District shall prepare an annual balanced budget in accordance with generally accepted accounting practices and in the manner prescribed by section 189.418, Florida Statutes.

(10) LIENS AND FORECLOSURES.--Liens and foreclosure of liens resulting from failure to pay ad valorem taxation shall be treated as liens and foreclosures resulting from other ad valorem taxes.

Section 5. Amendments to the charter.--This act may only be amended by action of the Legislature.

Section 6. Construction of act.--It is intended that the provisions of this act be liberally construed for accomplishing the purposes authorized and provided for by this act.

Section 7. Comprehensive planning.--Except as may otherwise be required by general law, comprehensive planning is not required by this act.

Section 8. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity

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shall not affect other provisions or applications of the act
which can be given effect without the invalid provision or
application, and to this end the provisions of this act are
declared severable.

Section 9. This act shall take effect upon becoming a law.