

## ENROLLED

HB 1829, Engrossed 1

2005 Legislature

1 A bill to be entitled

2 An act relating to Holmes County; amending chapter 30843,  
3 Laws of Florida (1955), as amended, relating to the Holmes  
4 County Hospital Corporation; revising provisions relating  
5 to the corporation's issuance of bonds to construct and  
6 erect a new hospital facility in Holmes County; repealing  
7 various provisions of said chapter; requiring a  
8 referendum; providing an effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12 Section 1. Section 1 of chapter 30843, Laws of Florida  
13 (1955), as amended, is amended to read:

14 Section 1. There is hereby created a public non-profit  
15 corporation which is hereby designated the Holmes County  
16 Hospital Corporation, for the purpose of establishing, acquiring  
17 or constructing, erecting, equipping, maintaining and operating  
18 ~~at Bonifay,~~ in Holmes County a public hospital primarily for the  
19 benefit of the citizens and residents of Holmes County, Florida,  
20 which hospital shall be known as Holmes County Hospital; and  
21 authority is hereby given for said corporation to establish,  
22 acquire or construct, erect, equip, maintain and operate a  
23 public hospital ~~at Bonifay,~~ in Holmes County, Florida, to be  
24 known as Holmes County Hospital, such hospital to provide as  
25 many beds as practicable and said corporation is further  
26 authorized from time to time, when practicable, to extend,  
27 enlarge and otherwise increase the size of said hospital and the  
28 services to be rendered to the public by said hospital.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29 Section 2. Subsection (i) of section 3 of chapter 30843,  
30 Laws of Florida (1955), as amended, is amended to read:

31 Section 3.

32 (i) The board of trustees shall make and adopt such by-  
33 laws and rules and regulations for their own guidance and for  
34 the government of the hospital as may be deemed expedient for  
35 the economic and equitable conduct thereof, not inconsistent  
36 with this law ~~or the city ordinances of Bonifay, Florida,~~  
37 wherein such hospital is located. They shall have exclusive  
38 control of the expenditures of all moneys collected to the  
39 credit of the hospital fund.

40 Section 3. Section 12 of chapter 30843, Laws of Florida  
41 (1955), as amended, is amended to read:

42 Section 12. Immediately upon this act becoming a law and  
43 the trustees of said Holmes County Hospital Corporation are  
44 appointed and duly qualified, the said corporation shall be  
45 authorized to transact business and enter into contract looking  
46 to the establishment of the hospital herein provided for, to  
47 incur liabilities; borrow money at such rates of interest as the  
48 trustees may determine; issue its notes, bonds, or other  
49 obligations; and secure any of its obligations by mortgage,  
50 pledge, or assignment of all or any of its properties,  
51 franchises, or income and may, without rendering the corporation  
52 ~~liable beyond the sources of money pledged, borrow money giving~~  
53 ~~security therefor the bonds provided for herein.~~

54 Section 4. Section 15 of chapter 30843, Laws of Florida  
55 (1955), as amended, is amended to read.

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56           Section 15. (1) The trustees of Holmes County Hospital  
57 Corporation are authorized to issue bonds or to have bonds  
58 issued payable from legally available revenues, pledge therefore  
59 property sufficient to pay the principal and interest as the  
60 same become due on such bonds, which shall be in such form and  
61 denomination bearing an interest rate that does not exceed that  
62 authorized by general law. The form of such bonds shall be fixed  
63 by resolution of the board of trustees of Holmes County Hospital  
64 Corporation or the issuer and the bonds shall be signed by the  
65 chair of the board countersigned by the secretary of the board  
66 under the seal of the board of trustees of Holmes County  
67 Hospital Corporation or as authorized by the issuer. Coupons, or  
68 such legal requirements as to the issuer of bonds requires if  
69 any, shall be executed by the facsimile signature of said  
70 officers or the issuers. The delivery, at any subsequent date of  
71 any bond and coupon so executed shall be valid, although before  
72 the date of delivery, the person signing such bonds or coupons  
73 shall cease to hold office or is authorized by the issuer.

74           (2) The bonds may be issued in the form and manner as  
75 determined by the board of trustees of Holmes County Hospital  
76 Corporation, not inconsistent with general law or the issuer,  
77 which is consistent with general law. This act shall be  
78 construed to provide complete authority to issue debt in any  
79 reasonable form and manner as determined by the board of  
80 trustees of Holmes County Hospital Corporation that are not  
81 inconsistent with general law.

82           (3) No resolution or proceeding in respect to the issuance  
83 of bonds hereunder shall be necessary. ~~The bonds authorized~~

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84 ~~herein shall in no event exceed one hundred seventy-five thousand~~  
 85 ~~dollars (\$175,000.00) for the construction of the Holmes county~~  
 86 ~~hospital authorized herein and all proceeds from such bond sale~~  
 87 ~~remaining in the hands of the Holmes county hospital corporation~~  
 88 ~~after payment of all costs of construction of the hospital as~~  
 89 ~~herein authorized shall be used by said corporation for~~  
 90 ~~equipping, operating and maintaining such county hospital in~~  
 91 ~~connection with the hospital program outlined herein.~~

92 Section 5. Section 18 of chapter 30843, Laws of Florida  
 93 (1955), as amended, is amended to read:

94 Section 18. The board shall have the power of eminent  
 95 domain and may thereby condemn and acquire any real or personal  
 96 property ~~within the city limits of Bonifay, Florida,~~ which the  
 97 board may deem necessary for the use of said hospital  
 98 corporation such power of condemnation shall be exercised in the  
 99 same manner as is now provided by the general law for the  
 100 exercise of the power of eminent domain by cities and towns of  
 101 the state of Florida.

102 Section 6. Sections 16, 17, 19, 20, 21, 22, 23, 26, and 27  
 103 of chapter 30843, Laws of Florida (1955), as amended, are  
 104 repealed.

105 Section 7. On or before December 30, 2006, the Holmes  
 106 County Hospital Corporation shall call and the Supervisor of  
 107 Elections of Holmes County shall conduct, in accordance with the  
 108 provisions of law relating to elections currently in force, a  
 109 referendum of the qualified voters of Holmes County on the  
 110 question of whether the Holmes County Hospital Corporation shall  
 111 amend its charter to increase the corporation's bonding

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112 | authority to construct a new hospital facility in Holmes County  
113 | pursuant to section 4 of this act.

114 |       Section 8. This act shall take effect only if a majority  
115 | of those qualified electors of Holmes County voting in the  
116 | referendum held pursuant to this act approve the referendum  
117 | question in accordance with section 7, except that this section  
118 | and section 7 of this act shall take effect upon becoming a law.