

1                   A bill to be entitled  
2           An act relating to government accountability and  
3           efficiency; amending s. 112.061, F.S.; revising certain  
4           per diem and travel requirements and limitations;  
5           requiring agencies and public agencies to develop certain  
6           uniform implementing polices; providing for application to  
7           certain water management districts, authorities, and other  
8           entities; amending s. 129.01, F.S.; providing limitations  
9           on unreserved undesignated fund balances; amending s.  
10          129.02, F.S.; providing definitions; providing additional  
11          requirements for budgets; requiring a proposed budget  
12          summary; providing summary requirements; deleting  
13          requirements for county fine and forfeiture fund budgets;  
14          amending s. 129.021, F.S.; expanding application of  
15          certain requirements for county officer budgets; amending  
16          s. 129.03, F.S.; extending a time period for county budget  
17          officers to prepare and present a tentative budget;  
18          providing additional requirements for filing comprehensive  
19          annual financial reports with clerks of circuit court and  
20          county residents; providing requirements for posting  
21          reports on websites; amending s. 166.241, F.S.; providing  
22          definitions; providing additional requirements for filing  
23          budgets by municipalities; providing budget disclosure  
24          requirements; requiring a proposed budget summary;  
25          providing summary requirements; providing additional  
26          requirements for posting comprehensive annual financial  
27          reports at certain public offices, online, and with  
28          municipal residents; providing limitations on unreserved

29 | undesignated fund balances; amending s. 189.418, F.S.;

30 | providing definitions; providing additional requirements

31 | for filing budgets by special districts; providing budget

32 | disclosure requirements; requiring a proposed budget

33 | summary; providing summary requirements; providing

34 | additional requirements for posting comprehensive annual

35 | financial reports at certain public offices, online, and

36 | with special district residents; providing limitations on

37 | unreserved undesignated fund balances; amending s.

38 | 373.536, F.S.; providing additional requirements for

39 | filing comprehensive annual financial reports of water

40 | management districts with clerks of circuit court, water

41 | management residents, and online; providing limitations on

42 | unreserved undesignated fund balances; amending ss.

43 | 189.429 and 191.015, F.S.; correcting cross-references;

44 | providing applicability; providing an effective date.

45

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

47

48 | Section 1. Paragraph (a) of subsection (6), paragraph (e)

49 | of subsection (7), and paragraph (c) of subsection (14) of

50 | section 112.061, Florida Statutes, are amended to read:

51 | 112.061 Per diem and travel expenses of public officers,

52 | employees, and authorized persons.--

53 | (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.--For

54 | purposes of reimbursement rates and methods of calculation, per

55 | diem and subsistence allowances are provided as follows:

56 (a) All travelers shall be allowed for subsistence when  
 57 traveling to a convention or conference or when traveling within  
 58 or outside the state in order to conduct bona fide state  
 59 business, which convention, conference, or business serves a  
 60 direct and lawful public purpose with relation to the public  
 61 agency served by the person attending such meeting or conducting  
 62 such business, either of the following for each day of such  
 63 travel at the option of the traveler:

- 64 1. Eighty dollars per diem; or
- 65 2. If actual expenses exceed \$80, the amounts permitted in  
 66 paragraph (b) for subsistence, plus actual expenses for lodging  
 67 at a single-occupancy rate to be substantiated by paid bills  
 68 therefor. Actual expenses for lodging shall not exceed \$200 per  
 69 night excluding taxes unless approved in writing by the agency  
 70 head or designee when lodging is not reasonably available for  
 71 less than the maximum rate.

72  
 73 When lodging or meals are provided at a state institution, the  
 74 traveler shall be reimbursed only for the actual expenses of  
 75 such lodging or meals, not to exceed the maximum provided for in  
 76 this subsection.

77 (7) TRANSPORTATION.--

78 (e) Transportation by charter or rental vehicle ~~chartered~~  
 79 ~~vehicles~~ when traveling on official business may be authorized  
 80 by the agency head when necessary or where it is to the  
 81 advantage of the agency, provided the cost of such  
 82 transportation does not exceed the cost of transportation by  
 83 privately owned vehicle pursuant to paragraph (d).

84 Transportation by charter or rental vehicle is preferred in lieu  
85 of a privately owned vehicle when the use of a rental vehicle is  
86 calculated to cost less than the estimated amount required to  
87 reimburse the traveler for transportation by his or her  
88 privately owned vehicle. At the option of the traveler, the use  
89 of his or her private vehicle may be authorized, but  
90 reimbursement shall be limited to the amount of whichever means  
91 of vehicle transportation is less after taking into account  
92 reasonable and practical considerations, including, but not  
93 limited to, any extenuating circumstances making the use of a  
94 rental vehicle impractical or unfeasible. In calculating whether  
95 the cost of using a rental vehicle is less than reimbursement  
96 for using a privately owned vehicle, all costs necessarily  
97 incurred in connection with the use of a rental car, including,  
98 but not limited to, parking fees, and additional travel time,  
99 that would be avoided through the use of the traveler's  
100 privately owned vehicle shall be taken into consideration. Each  
101 agency or public agency shall develop policies to uniformly  
102 implement this paragraph.

103 (14) APPLICABILITY TO COUNTIES, COUNTY OFFICERS, DISTRICT  
104 SCHOOL BOARDS, SPECIAL DISTRICTS, AND METROPOLITAN PLANNING  
105 ORGANIZATIONS.--

106 (c) Except as otherwise provided in this subsection,  
107 counties, county constitutional officers and entities governed  
108 by those officers, district school boards, special districts,  
109 and metropolitan planning organizations, other than those  
110 subject to s. 166.021(10), remain subject to the requirements of  
111 this section. Notwithstanding subparagraph (a)4., water

112 management districts created under s. 373.069, the Florida  
 113 Inland Navigation District, the Northwest Florida Regional  
 114 Housing Authority, the Northwest Florida Transportation Corridor  
 115 Authority, the Sarasota-Manatee Airport Authority, Space  
 116 Florida, and the Tampa Bay Area Regional Transportation  
 117 Authority are subject to the requirements of this section.

118 Section 2. Paragraph (f) is added to subsection (2) of  
 119 section 129.01, Florida Statutes, to read:

120 129.01 Budget system established.--There is hereby  
 121 established a budget system for the control of the finances of  
 122 the boards of county commissioners of the several counties of  
 123 the state, as follows:

124 (2) Each budget shall conform to the following general  
 125 directions and requirements:

126 (f) The unreserved undesignated fund balance, as defined  
 127 in s. 129.02(1), generated during an individual fiscal year  
 128 shall not exceed 20 percent of operating revenues or 90 days of  
 129 regular general fund operating expenditures, whichever is  
 130 greater, necessary to secure and maintain credit ratings, meet  
 131 seasonal shortfalls in cash flow, and reduce susceptibility to  
 132 emergency or unanticipated expenditures or to address revenue  
 133 shortfalls. Any remaining unreserved undesignated fund balance  
 134 generated during an individual fiscal year shall not be used to  
 135 increase recurring expenditures within the budget, but shall be  
 136 carried forward to the next fiscal year in furtherance of the  
 137 fund.

138 Section 3. Section 129.02, Florida Statutes, is amended to  
 139 read:

140 129.02 Requisites of budgets.--

141 (1) As used in this section, the term:

142 (a) "Fund" means a fiscal and accounting entity with a  
 143 self-balancing set of accounts that are recorded and segregated  
 144 to account for specific activities or to attain certain  
 145 objectives in accordance with applicable laws, special  
 146 regulations, restrictions, or limitations, in accordance with  
 147 generally accepted accounting principles.

148 (b) "Object of expenditure" means the classification of  
 149 fund data by character of expenditure. The term "object of  
 150 expenditure" includes, but is not limited to, operating  
 151 expenditures or expenses, personal services, debt service,  
 152 capital outlay, grants, and transfers, in accordance with  
 153 generally accepted accounting principles.

154 (c) "Spending entity," as designated by the county  
 155 commission, means any office, unit, department, board,  
 156 commission, county officer, or dependent special district which  
 157 is responsible for any particular expenditures.

158 (d) "Unreserved undesignated fund balance" means any fund  
 159 balance remaining after accounting for all reserved and  
 160 designated general fund balances.

161 (2) Each budget shall conform to the following specific  
 162 directions and requirements:

163 (a) Budgets that do not meet the Distinguished Budget  
 164 Presentation Award criteria established by the Government  
 165 Finance Officers Association shall, by fund and by spending  
 166 entity within each fund for the fiscal year, set forth the  
 167 following:

168 1. All proposed budget expenditures summarized by the  
 169 object of expenditure to be undertaken or executed by any  
 170 spending entity during the fiscal year.

171 2. Anticipated revenues for the fiscal year.

172 3. Estimated beginning and ending fund balances.

173 4. The corresponding actual figures for the prior year,  
 174 current year budget or estimated current year actual, and  
 175 proposed budget for the next fiscal year consistent with the  
 176 basis of accounting used to prepare the budget.

177 5. Explanatory schedules or statements noting material  
 178 changes in proposed expenditures by spending entity.

179 (b)1.(1) General fund budget shall contain an estimate of  
 180 receipts by source, including any taxes now or hereafter  
 181 authorized by law to be levied for any countywide purpose,  
 182 except those countywide purposes provided for in the budgets  
 183 enumerated below, any tax millage limitation to the contrary  
 184 notwithstanding, and including any balance brought forward as  
 185 provided herein; and an itemized estimate of expenditures that  
 186 will need to be incurred to carry on all functions and  
 187 activities of the county government now or hereafter authorized  
 188 by law, except those functions and activities provided for in  
 189 the budgets enumerated below, and of unpaid vouchers of the  
 190 general fund; also of the reserve for contingencies and of the  
 191 balances, as hereinbefore provided, which should be carried  
 192 forward at the end of the year.

193 2. A county shall prepare a written summary, not to exceed  
 194 4 pages, describing the important features of the proposed  
 195 budget. The summary shall include an overview of the county, a

196 description of the previous fiscal year's performance, a review  
 197 of the current fiscal year's revenues and expenditures, and an  
 198 economic outlook and future challenges or objectives  
 199 description. The summary must include a statement of the  
 200 budgetary basis of accounting used and a description of the  
 201 services to be delivered during the fiscal year. The county  
 202 shall make the summary available to county residents by filing  
 203 the summary with the clerk of the circuit court and posting the  
 204 summary prominently online if the county has a website.

205 (c)(2) The County Transportation Trust Fund budget shall  
 206 contain an estimate of receipts by source and balances as  
 207 provided herein, and an itemized estimate of expenditures that  
 208 need to be incurred to carry on all work on roads and bridges in  
 209 the county except that provided for in the capital outlay  
 210 reserve fund budget and in district budgets pursuant to this  
 211 chapter, and of unpaid vouchers of the County Transportation  
 212 Trust Fund; also of the reserve for contingencies and the  
 213 balance, as hereinbefore provided, which should be carried  
 214 forward at the end of the year.

215 ~~(3) The budget for the county fine and forfeiture fund~~  
 216 ~~shall contain an estimate of receipts by source and balances as~~  
 217 ~~provided herein, and an itemized estimate of expenditures that~~  
 218 ~~need to be incurred to carry on all criminal prosecution, and~~  
 219 ~~all other law enforcement functions and activities of the county~~  
 220 ~~now or hereafter authorized by law, and of indebtedness of the~~  
 221 ~~county fine and forfeiture fund; also of the reserve for~~  
 222 ~~contingencies and the balance, as hereinbefore provided, which~~  
 223 ~~should be carried forward at the end of the year.~~



224        (d)1.~~(4)(a)~~ Capital outlay reserve fund budget shall  
225 contain an estimate of receipts by source, including any taxes  
226 authorized by law to be levied for that purpose, and including  
227 any balance brought forward as provided for herein; and an  
228 itemized estimate of expenditures for capital purposes to give  
229 effect to general improvement programs. It shall be a plan for  
230 the expenditure of funds for capital purposes, showing as income  
231 the revenues, special assessments, borrowings, receipts from  
232 sale of capital assets, free surpluses, and down payment  
233 appropriation to be applied to the cost of a capital project or  
234 projects, expenses of issuance of obligations, engineering,  
235 supervision, contracts, and any other related expenditures. It  
236 may contain also an estimate for the reserves as hereinbefore  
237 provided and for a reserve for future construction and  
238 improvements. No expenditures or obligations shall be incurred  
239 for capital purposes except as appropriated in this budget,  
240 except for the preliminary expense of plans, specifications and  
241 estimates.

242        2.~~(b)~~ Under the provision herein set forth, a separate  
243 capital budget may be adopted for each special district included  
244 within the county budget, or a consolidated capital budget may  
245 be adopted providing for the consolidation of capital projects  
246 of the county and of the special districts included within the  
247 county budget into one budget, treating borrowed funds and other  
248 receipts as special revenue earmarked for capital projects as  
249 separately itemized appropriation for each district special  
250 project or county project, as the case may be.

251        3.~~(e)~~ Any funds in the capital budget not required to meet  
252 the current construction cost of any project may be invested in  
253 any securities of the Federal Government or in securities of any  
254 county of the state pledging the full faith and credit of such  
255 county or pledging such county's share of the gas tax provided  
256 for in s. 16 of Art. IX of the Constitution of 1885 as adopted  
257 by the 1968 revised constitution or in s. 9, Art. XII of said  
258 revision.

259        (e)~~(5)~~ A bond interest and sinking fund budget shall be  
260 made for each county and for each special district included  
261 within the county budget having bonds outstanding. The budget  
262 shall contain an estimate of receipts by source, including any  
263 taxes authorized by law to be levied for that purpose, and  
264 including any balances brought forward as provided herein; and  
265 an itemized estimate of expenditures and reserves as follows:  
266 The bond interest and principal maturities in the year for which  
267 the budget is made shall be determined and estimates for  
268 expenses connected with the payments of such bonds and coupons,  
269 commissions of the tax collector, and of the property appraiser,  
270 and expenses of refunding operations, if any are contemplated,  
271 shall be appropriated. A sufficient "cash balance to be carried  
272 over" may be reserved as set forth hereinbefore. The sinking  
273 fund requirements provided for in the said reserve may be  
274 carried over either in cash or in securities of the Federal  
275 Government and of the local governments in Florida, or both.

276        (f)~~(6)~~ For each special district included within the  
277 county budget, the operating fund budget shall contain an  
278 estimate of receipts by source and balances as provided herein,

279 and an itemized estimate of expenditures that will need to be  
 280 incurred to carry on all functions and activities of the special  
 281 district as now or hereafter provided by law and of the  
 282 indebtedness of the special district; also of the reserves for  
 283 contingencies and the balances, as hereinbefore provided, which  
 284 should be carried forward at the end of the year.

285 Section 4. Section 129.021, Florida Statutes, is amended  
 286 to read:

287 129.021 County officer budget  
 288 information.--Notwithstanding other provisions of law, the  
 289 budgets of all county officers, as submitted to the board of  
 290 county commissioners, shall be in sufficient detail and contain  
 291 such information as the board of county commissioners may  
 292 require in furtherance of their powers and responsibilities  
 293 provided in ss. 125.01(1)(q) and (r) and (6), and 129.01(2)(b),  
 294 and 129.02(1) and (2).

295 Section 5. Subsection (3) of section 129.03, Florida  
 296 Statutes, is amended to read:

297 129.03 Preparation and adoption of budget.--

298 (3) No later than 21 ~~15~~ days after certification of value  
 299 by the property appraiser pursuant to s. 200.065(1), the county  
 300 budget officer, after tentatively ascertaining the proposed  
 301 fiscal policies of the board for the ensuing fiscal year, shall  
 302 prepare and present to the board a tentative budget for the  
 303 ensuing fiscal year for each of the funds provided in this  
 304 chapter, including all estimated receipts, taxes to be levied,  
 305 and balances expected to be brought forward and all estimated

306 expenditures, reserves, and balances to be carried over at the  
307 end of the year.

308 (a) The board of county commissioners shall receive and  
309 examine the tentative budget for each fund and, subject to the  
310 notice and hearing requirements of s. 200.065, shall require  
311 such changes to be made as it shall deem necessary; provided the  
312 budget shall remain in balance. The county budget officer's  
313 estimates of receipts other than taxes, and of balances to be  
314 brought forward, shall not be revised except by a resolution of  
315 the board, duly passed and spread on the minutes of the board.  
316 However, the board may allocate to any of the funds of the  
317 county any anticipated receipts, other than taxes levied for a  
318 particular fund, except receipts designated or received to be  
319 expended for a particular purpose.

320 (b) 1. Until the effective date of subparagraph 2., upon  
321 receipt of the tentative budgets and completion of any revisions  
322 made by the board, the board shall prepare a statement  
323 summarizing all of the adopted tentative budgets. This summary  
324 statement shall show, for each budget and the total of all  
325 budgets, the proposed tax millages, the balances, the reserves,  
326 and the total of each major classification of receipts and  
327 expenditures, classified according to the classification of  
328 accounts prescribed by the appropriate state agency. The county  
329 shall make the summary statement available to county residents  
330 by filing the statement with the clerk of the circuit court and  
331 posting the statement prominently online if the county has a  
332 website. The board shall cause this summary statement to be  
333 advertised one time in a newspaper of general circulation

334 published in the county, or by posting with the clerk of the  
 335 circuit court ~~at the courthouse door~~ if there is no such  
 336 newspaper, and the advertisement shall appear adjacent to the  
 337 advertisement required pursuant to s. 200.065.

338 2. Beginning with fiscal year 2018-2019, counties that  
 339 have received a Certificate of Achievement for Excellence in  
 340 Financial Reporting from the Government Finance Officers  
 341 Association shall make the Comprehensive Annual Financial Report  
 342 available to county residents by filing the report with the  
 343 clerk of the circuit court and posting the report prominently  
 344 online if the county has a website. Counties that have not  
 345 received a Certificate of Achievement for Excellence in  
 346 Financial Reporting shall continue to comply with the  
 347 requirements of subparagraph 1.

348 (c) The board shall hold public hearings to adopt  
 349 tentative and final budgets pursuant to s. 200.065. The hearings  
 350 shall be primarily for the purpose of hearing requests and  
 351 complaints from the public regarding the budgets and the  
 352 proposed tax levies and for explaining the budget and proposed  
 353 or adopted amendments thereto, if any. The tentative budgets,  
 354 adopted tentative budgets, and final budgets shall be filed in  
 355 the office of the clerk of the circuit court ~~county auditor~~ as a  
 356 public record. For counties that have websites, the tentative  
 357 budgets and final budgets, as approved by the county commission,  
 358 shall be made available online when filed with the clerk of the  
 359 circuit court and shall remain online until the final budget is  
 360 adopted for the next fiscal year. Sufficient reference in words  
 361 and figures to identify the particular transactions shall be

362 made in the minutes of the board to record its actions with  
363 reference to the budgets.

364 Section 6. Section 166.241, Florida Statutes, is amended  
365 to read:

366 166.241 Fiscal years, appropriations, budgets, and budget  
367 amendments.--

368 (1) As used in this section, the term:

369 (a) "Fund" means a fiscal and accounting entity with a  
370 self-balancing set of accounts that are recorded and segregated  
371 to account for specific activities or to attain certain  
372 objectives in accordance with applicable laws, special  
373 regulations, restrictions, or limitations, in accordance with  
374 generally accepted accounting principles.

375 (b) "Object of expenditure" means the classification of  
376 fund data by character of expenditure. The term "object of  
377 expenditure" includes, but is not limited to, operating  
378 expenditures or expenses, personal services, debt service,  
379 capital outlay, grants, and transfers, in accordance with  
380 generally accepted accounting principles.

381 (c) "Spending entity," as designated by the municipality,  
382 means any office, unit, department, board, commission, or  
383 dependent special district which is responsible for any  
384 particular expenditures.

385 (d) "Unreserved undesignated fund balance" means any fund  
386 balance remaining after accounting for all reserved and  
387 designated general fund balances.

388        (2)~~(1)~~ Each municipality shall make provision for  
 389 establishing a fiscal year beginning October 1 of each year and  
 390 ending September 30 of the following year.

391        (3)~~(2)~~ The governing body of each municipality shall adopt  
 392 a budget each fiscal year. The budget shall ~~must~~ be adopted by  
 393 ordinance or resolution unless otherwise specified in the  
 394 respective municipality's charter. The amount available from  
 395 taxation and other sources, including amounts carried over from  
 396 prior fiscal years, must equal the total appropriations for  
 397 expenditures and reserves. The budget shall ~~must~~ regulate  
 398 expenditures of the municipality, and it is unlawful for any  
 399 officer of a municipal government to expend or contract for  
 400 expenditures in any fiscal year except in pursuance of budgeted  
 401 appropriations. The tentative budgets and final budgets,  
 402 approved by the governing body, shall be filed at a designated  
 403 public office within the boundaries of the municipality as a  
 404 public record. For municipalities that have websites, the  
 405 tentative budgets and final budgets, approved by the governing  
 406 body, shall be made available online when filed with the  
 407 designated public office and remain online until the final  
 408 budget is adopted for the next fiscal year.

409        (4) Budgets that do not meet the Distinguished Budget  
 410 Presentation Award criteria established by the Government  
 411 Finance Officers Association and that exceed \$1 million shall,  
 412 by fund and by spending entity within each fund for the fiscal  
 413 year, set forth the following:

414 (a) All proposed budget expenditures summarized by the  
 415 object of expenditure to be undertaken or executed by any  
 416 spending entity during the fiscal year.

417 (b) Anticipated revenues for the fiscal year.

418 (c) Estimated beginning and ending fund balances.

419 (d) The corresponding actual figures for the prior year,  
 420 current year budget or estimated current year actual, and  
 421 proposed budget for the next fiscal year consistent with the  
 422 basis of accounting used to prepare the budget.

423 (e) Explanatory schedules or statements noting material  
 424 changes in proposed expenditures by spending entity.

425 (5) A municipality shall prepare a written summary, not to  
 426 exceed 4 pages, describing the important features of the  
 427 proposed budget. The summary shall include an overview of the  
 428 municipality, a description of the previous fiscal year's  
 429 performance, a review of the current fiscal year's revenues and  
 430 expenditures, and an economic outlook and future challenges or  
 431 objectives description. The summary must include a statement of  
 432 the budgetary basis of accounting used and a description of the  
 433 services to be delivered during the fiscal year. The  
 434 municipality shall make the summary available to municipal  
 435 residents by posting the summary at a designated public office  
 436 within the boundaries of the municipality and posting the  
 437 summary prominently online if the municipality has a website.

438 (6) (a) Municipalities that have received a Certificate of  
 439 Achievement for Excellence in Financial Reporting from the  
 440 Government Finance Officers Association shall make the  
 441 Comprehensive Annual Financial Report available to municipal



442 residents by posting the report at a designated public office  
443 within the boundaries of the municipality and posting the report  
444 prominently online if the municipality has a website.

445 (b) Municipalities the budgets of which exceed \$1 million  
446 and that have not received a Certificate of Achievement for  
447 Excellence in Financial Reporting from the Government Finance  
448 Officers Association shall, upon receipt of the tentative  
449 budgets of each spending entity and completion of any revisions  
450 made by the municipality, prepare a statement summarizing all of  
451 the adopted tentative budgets. This summary statement shall show  
452 for each budget the total of all budgets, the proposed tax  
453 millages, the balances, the reserves, and the total of each  
454 major classification of receipts and expenditures, classified  
455 according to the classification of accounts prescribed by the  
456 appropriate state agency, and a brief explanation of any  
457 material increase or decrease by spending entity. The  
458 municipality shall make the summary statement available to  
459 municipal residents by posting the statement at a designated  
460 public office within the boundaries of the municipality and  
461 posting the statement prominently online if the municipality has  
462 a website.

463 (7) The unreserved undesignated fund balance generated  
464 during an individual fiscal year shall not exceed 20 percent of  
465 operating revenues or 90 days of regular general fund operating  
466 expenditures, whichever is greater, necessary to secure and  
467 maintain credit ratings, meet seasonal shortfalls in cash flow,  
468 and reduce susceptibility to emergency or unanticipated  
469 expenditures or to address revenue shortfalls. Any remaining

470 unreserved undesignated fund balance generated during an  
 471 individual fiscal year shall not be used to increase recurring  
 472 expenditures within the budget, but shall be carried forward to  
 473 the next fiscal year in furtherance of the fund.

474 ~~(8)(3)~~ The governing body of each municipality at any time  
 475 within a fiscal year or within up to 60 days following the end  
 476 of the fiscal year may amend a budget for that year as follows:

477 (a) Appropriations for expenditures within a fund may be  
 478 decreased or increased by motion recorded in the minutes,  
 479 provided that the total of the appropriations of the fund is not  
 480 changed.

481 (b) The governing body may establish procedures by which  
 482 the designated budget officer may authorize certain budget  
 483 amendments within a department, provided that the total of the  
 484 appropriations of the department is not changed.

485 (c) If a budget amendment is required for a purpose not  
 486 specifically authorized in paragraph (a) or paragraph (b), the  
 487 budget amendment must be adopted in the same manner as the  
 488 original budget unless otherwise specified in the charter of the  
 489 respective municipality.

490 Section 7. Section 189.418, Florida Statutes, is amended  
 491 to read:

492 189.418 Reports; budgets; audits.--

493 (1) As used in this section, the term:

494 (a) "Fund" means a fiscal and accounting entity with a  
 495 self-balancing set of accounts that are recorded and segregated  
 496 to account for specific activities or to attain certain  
 497 objectives in accordance with applicable laws, special

498 regulations, restrictions, or limitations, in accordance with  
 499 generally accepted accounting principles.

500 (b) "Object of expenditure" means the classification of  
 501 fund data by character of expenditure. The term "object of  
 502 expenditure" includes, but is not limited to, operating  
 503 expenditures or expenses, personal services, debt service,  
 504 capital outlay, grants, and transfers, in accordance with  
 505 generally accepted accounting principles.

506 (c) "Spending entity," as designated by the special  
 507 district, means any office, unit, department, board, commission,  
 508 or institution which is responsible for any particular  
 509 expenditures.

510 (d) "Unreserved undesignated fund balance" means any fund  
 511 balance remaining after accounting for all reserved and  
 512 designated general fund balances.

513 (2)-(1) When a new special district is created, the  
 514 district must forward to the department, within 30 days after  
 515 the adoption of the special act, rule, ordinance, resolution, or  
 516 other document that provides for the creation of the district, a  
 517 copy of the document and a written statement that includes a  
 518 reference to the status of the special district as dependent or  
 519 independent and the basis for such classification. In addition  
 520 to the document or documents that create the district, the  
 521 district must also submit a map of the district, showing any  
 522 municipal boundaries that cross the district's boundaries, and  
 523 any county lines if the district is located in more than one  
 524 county. The department must notify the local government or other  
 525 entity and the district within 30 days after receipt of the

526 document or documents that create the district as to whether the  
527 district has been determined to be dependent or independent.

528 ~~(3)~~<sup>(2)</sup> Any amendment, modification, or update of the  
529 document by which the district was created, including changes in  
530 boundaries, must be filed with the department within 30 days  
531 after adoption. The department may initiate proceedings against  
532 special districts as provided in s. 189.421 for failure to file  
533 the information required by this subsection.

534 ~~(4)~~<sup>(3)</sup> The governing body of each special district shall  
535 adopt a budget by resolution each fiscal year. The total amount  
536 available from taxation and other sources, including amounts  
537 carried over from prior fiscal years, must equal the total of  
538 appropriations for expenditures and reserves. The adopted budget  
539 must regulate expenditures of the special district, and it is  
540 unlawful for any officer of a special district to expend or  
541 contract for expenditures in any fiscal year except in pursuance  
542 of budgeted appropriations. Budgets that exceed \$250,000 in  
543 revenues and that do not meet the Distinguished Budget  
544 Presentation Award criteria established by the Government  
545 Finance Officers Association shall, by fund and by spending  
546 entity within each fund for the fiscal year, set forth the  
547 following:

548 (a) All proposed budget expenditures summarized by the  
549 object of expenditure to be undertaken or executed by any  
550 spending entity during the fiscal year.

551 (b) Anticipated revenues for the fiscal year.

552 (c) Estimated beginning and ending fund balances.

553        (d) The corresponding actual figures for the prior year,  
 554 current year budget or estimated current year actual, and  
 555 proposed budget for the next fiscal year consistent with the  
 556 basis of accounting used to prepare the budget.

557        (e) Explanatory schedules or statements noting material  
 558 changes in proposed expenditures by spending entity.

559        (5) Special districts the budgets of which exceed  
 560 \$250,000 in revenues shall prepare a written summary, not  
 561 to exceed 4 pages, describing the important features of the  
 562 proposed budget. The summary shall include an overview of  
 563 the special district, a description of the previous fiscal  
 564 year's performance, a review of the current fiscal year's  
 565 revenues and expenditures, and an economic outlook and  
 566 future challenges or objectives description. The summary  
 567 must include a statement of the budgetary basis of  
 568 accounting used and a description of the services to be  
 569 delivered during the fiscal year. The special district  
 570 shall make the summary available to district residents by  
 571 posting the summary at a designated public office within  
 572 the boundaries of the district, or, if a public office is  
 573 not available within the boundaries, by posting with a  
 574 public office close to the boundaries of the special  
 575 district. For special districts websites, the district  
 576 shall post the summary prominently online.

577        (6) For budgets that exceed \$250,000 in revenues,  
 578 tentative budgets and final budgets, approved by the governing  
 579 body, shall be filed as a public record at a designated public  
 580 office within the boundaries of the special district, or, if a

581 public office is not available within the boundaries, shall be  
582 filed with a public office close to the boundaries of the  
583 special district. For special districts that have websites,  
584 tentative budgets and final budgets, approved by the governing  
585 body, shall be made available online when filed with the  
586 designated public office and remain online until the final  
587 budget is adopted for the next fiscal year.

588 (7) (a) Special districts that have received a Certificate  
589 of Achievement for Excellence in Financial Reporting from the  
590 Government Finance Officers Association shall make the  
591 Comprehensive Annual Financial Report available to district  
592 residents by posting the report at a designated public office  
593 within the boundaries of the special district, or, if a public  
594 office is not available within the boundaries, shall file the  
595 report with a public office close to the boundaries of the  
596 special district and post the report prominently online if the  
597 district has a website.

598 (b) Special districts the budgets of which exceed \$250,000  
599 in revenues and that have not received a Certificate of  
600 Achievement for Excellence in Financial Reporting from the  
601 Government Finance Officers Association shall, upon receipt of  
602 the tentative budgets of each spending entity and completion of  
603 any revisions made by the special district, prepare a statement  
604 summarizing all of the adopted tentative budgets. This summary  
605 statement shall show for each budget the total of all budgets,  
606 the proposed tax millages, the balances, the reserves, and the  
607 total of each major classification of receipts and expenditures,  
608 classified according to the classification of accounts

609 prescribed by the appropriate state agency, and a brief  
610 explanation of any material increase or decrease by spending  
611 entity. The special district shall make the summary statement  
612 available to district residents by posting at a designated  
613 public office within the boundaries of the special district, or,  
614 if a public office is not available within the boundaries, the  
615 statement shall be filed with a public office close to the  
616 boundaries of the special district and post the statement  
617 prominently online if the district has a website.

618 (8) The unreserved undesignated fund balance generated  
619 during an individual fiscal year shall not exceed 20 percent of  
620 operating revenues or 90 days of regular general fund operating  
621 expenditures, whichever is greater, necessary to secure and  
622 maintain credit ratings, meet seasonal shortfalls in cash flow,  
623 and reduce susceptibility to emergency or unanticipated  
624 expenditures or to address revenue shortfalls. Any remaining  
625 unreserved undesignated fund generated during an individual  
626 fiscal year balance shall not be used to increase recurring  
627 expenditures within the budget, but shall be carried forward to  
628 the next fiscal year in furtherance of the fund.

629 (9)~~(4)~~ The proposed budget of a dependent special district  
630 shall be presented in accordance with generally accepted  
631 accounting principles, contained within the general budget of  
632 the local governing authority, and be clearly stated as the  
633 budget of the dependent district. However, with the concurrence  
634 of the local governing authority, a dependent district may be  
635 budgeted separately.

636        (10)~~(5)~~ The governing body of each special district at any  
 637 time within a fiscal year or within up to 60 days following the  
 638 end of the fiscal year may amend a budget for that year. The  
 639 budget amendment must be adopted by resolution.

640        (11)~~(6)~~ A local governing authority may, in its  
 641 discretion, review the budget or tax levy of any special  
 642 district located solely within its boundaries.

643        (12)~~(7)~~ All reports or information required to be filed  
 644 with a local governing authority under ss. 189.415, 189.416, and  
 645 189.417 and this section shall:

646            (a) When the local governing authority is a county, be  
 647 filed with the clerk of the board of county commissioners.

648            (b) When the district is a multicounty district, be filed  
 649 with the clerk of the county commission in each county.

650            (c) When the local governing authority is a municipality,  
 651 be filed at the place designated by the municipal governing  
 652 body.

653        Section 8. Paragraphs (d) and (e) of subsection (3),  
 654 paragraph (c) of subsection (4), and paragraph (a) of subsection  
 655 (6) of section 373.536, Florida Statutes, are amended to read:

656            373.536 District budget and hearing thereon.--

657            (3) BUDGET HEARINGS AND WORKSHOPS; NOTICE.--

658            (d) As provided in s. 200.065(2)(d), the board shall  
 659 publish one or more notices of its intention to adopt a final  
 660 budget for the district for the ensuing fiscal year. The notice  
 661 shall appear adjacent to an advertisement that sets forth the  
 662 tentative budget in a format meeting the budget summary  
 663 requirements of s. 129.03(3)(b). The district shall not include



664 expenditures of federal special revenues and state special  
 665 revenues when preparing the statement required by s.  
 666 200.065(3)(1). The notice and advertisement shall be published  
 667 in one or more newspapers having a combined general paid  
 668 circulation in each county in which the district lies and the  
 669 advertisement shall be posted online if the district has a  
 670 website. Districts may include explanatory phrases and examples  
 671 in budget advertisements published under s. 200.065 to clarify  
 672 or illustrate the effect that the district budget may have on ad  
 673 valorem taxes.

674 (e) In lieu of the advertisement setting forth the  
 675 tentative budget in a format meeting the budget summary  
 676 requirements of s. 129.03(3)(b), water management districts that  
 677 have received a Certificate of Achievement for Excellence in  
 678 Financial Reporting from the Government Finance Officers  
 679 Association shall cause the resulting Comprehensive Annual  
 680 Financial Report to be made available to district residents by  
 681 filing the report with the clerk of the circuit court of each  
 682 county within or partly within the district and by posting the  
 683 report prominently online if the district has a website. The  
 684 district shall also cause the website address of the report to  
 685 be advertised in one or more newspapers having a combined  
 686 general paid circulation in each county in which the district  
 687 lies, and the advertisement shall appear adjacent the  
 688 advertisement required pursuant to s. 200.065.

689 (f)-(e) The hearing for adoption of a final budget and  
 690 millage rate shall be by and before the governing board of the

691 district as provided in s. 200.065 and may be continued from day  
692 to day until terminated by the board.

693 (4) BUDGET CONTROLS.--

694 (c) If ~~Should~~ the district receives ~~receive~~ unanticipated  
695 funds after the adoption of the final budget, those funds shall  
696 be treated as unreserved undesignated funds. Unanticipated  
697 undesignated funds do not include federal revenues, state  
698 special revenues, matching funds, or local government or utility  
699 project funds. The unreserved undesignated fund balance, as  
700 defined in s. 129.02(1), generated during an individual fiscal  
701 year shall not exceed 20 percent of operating revenues or 90  
702 days of regular general fund operating expenditures, whichever  
703 is greater, necessary to secure and maintain credit ratings,  
704 meet seasonal shortfalls in cash flow, and reduce susceptibility  
705 to emergency or unanticipated expenditures or to address revenue  
706 shortfalls. Any remaining unreserved undesignated fund balance  
707 generated during an individual fiscal year shall not be used to  
708 increase recurring expenditures within the budget, but shall be  
709 carried forward to the next fiscal year in furtherance of the  
710 fund. The final budget, except for unreserved undesignated  
711 funds, may be amended by including unanticipated ~~such~~ funds, so  
712 long as notice of intention to amend is published in the notice  
713 of the governing board meeting at which the amendment will be  
714 considered, pursuant to s. 120.525. The notice shall set forth a  
715 summary of the proposed amendment. However, in the event of a  
716 disaster or of an emergency arising to prevent or avert the  
717 same, the governing board shall not be limited by the budget but

718 shall have authority to apply such funds as may be available  
 719 therefor or as may be procured for such purpose.

720 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;  
 721 WATER RESOURCE DEVELOPMENT WORK PROGRAM.--

722 (a) Each district must, by the date specified for each  
 723 item, furnish copies of the following documents to the Governor,  
 724 the President of the Senate, the Speaker of the House of  
 725 Representatives, the chairs of all legislative committees and  
 726 subcommittees having substantive or fiscal jurisdiction over the  
 727 districts, as determined by the President of the Senate or the  
 728 Speaker of the House of Representatives as applicable, the  
 729 secretary of the department, and the governing board of each  
 730 county in which the district has jurisdiction or derives any  
 731 funds for the operations of the district:

732 1. The adopted budget, to be furnished within 10 days  
 733 after its adoption.

734 2. A financial audit of its accounts and records, to be  
 735 furnished within 10 days after its acceptance by the governing  
 736 board. The audit must be conducted in accordance with the  
 737 provisions of s. 11.45 and the rules adopted thereunder. In  
 738 addition to the entities named above, the district must provide  
 739 a copy of the audit to the Auditor General within 10 days after  
 740 its acceptance by the governing board.

741 3. A 5-year capital improvements plan, to be included in  
 742 the consolidated annual report required by s. 373.036(7). The  
 743 plan must include expected sources of revenue for planned  
 744 improvements and must be prepared in a manner comparable to the  
 745 fixed capital outlay format set forth in s. 216.043.

746 4. A 5-year water resource development work program to be  
747 furnished within 30 days after the adoption of the final budget.  
748 The program must describe the district's implementation strategy  
749 for the water resource development component of each approved  
750 regional water supply plan developed or revised under s.  
751 373.0361. The work program must address all the elements of the  
752 water resource development component in the district's approved  
753 regional water supply plans and must identify which projects in  
754 the work program will provide water, explain how each water  
755 resource development project will produce additional water  
756 available for consumptive uses, estimate the quantity of water  
757 to be produced by each project, and provide an assessment of the  
758 contribution of the district's regional water supply plans in  
759 providing sufficient water to meet the water supply needs of  
760 existing and future reasonable-beneficial uses for a 1-in-10-  
761 year drought event. Within 30 days after its submittal, the  
762 department shall review the proposed work program and submit its  
763 findings, questions, and comments to the district. The review  
764 must include a written evaluation of the program's consistency  
765 with the furtherance of the district's approved regional water  
766 supply plans, and the adequacy of proposed expenditures. As part  
767 of the review, the department shall give interested parties the  
768 opportunity to provide written comments on each district's  
769 proposed work program. Within 45 days after receipt of the  
770 department's evaluation, the governing board shall state in  
771 writing to the department which changes recommended in the  
772 evaluation it will incorporate into its work program submitted  
773 as part of the March 1 consolidated annual report required by s.

774 373.036(7) or specify the reasons for not incorporating the  
 775 changes. The department shall include the district's responses  
 776 in a final evaluation report and shall submit a copy of the  
 777 report to the Governor, the President of the Senate, and the  
 778 Speaker of the House of Representatives.

779 5. The Comprehensive Annual Financial Report of water  
 780 management districts that have received a Certificate of  
 781 Achievement for Excellence in Financial Reporting from the  
 782 Government Finance Officers Association.

783 Section 9. Subsection (1) of section 189.429, Florida  
 784 Statutes, is amended to read:

785 189.429 Codification.--

786 (1) Each district, by December 1, 2004, shall submit to  
 787 the Legislature a draft codified charter, at its expense, so  
 788 that its special acts may be codified into a single act for  
 789 reenactment by the Legislature, if there is more than one  
 790 special act for the district. The Legislature may adopt a  
 791 schedule for individual district codification. Any codified act  
 792 relating to a district, which act is submitted to the  
 793 Legislature for reenactment, shall provide for the repeal of all  
 794 prior special acts of the Legislature relating to the district.  
 795 The codified act shall be filed with the department pursuant to  
 796 s. 189.418(3) ~~189.418(2)~~.

797 Section 10. Section 191.015, Florida Statutes, is amended  
 798 to read:

799 191.015 Codification.--Each fire control district existing  
 800 on the effective date of this section, by December 1, 2004,  
 801 shall submit to the Legislature a draft codified charter, at its

802 expense, so that its special acts may be codified into a single  
803 act for reenactment by the Legislature, if there is more than  
804 one special act for the district. The Legislature may adopt a  
805 schedule for individual district codification. Any codified act  
806 relating to a district, which act is submitted to the  
807 Legislature for reenactment, shall provide for the repeal of all  
808 prior special acts of the Legislature relating to the district.  
809 The codified act shall be filed with the Department of Community  
810 Affairs pursuant to s. 189.418(3) ~~189.418(2)~~.

811 Section 11. This act shall take effect upon becoming a law  
812 and shall apply to the 2008-2009 fiscal year.