

By Senator Dean

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1 A bill to be entitled
2 An act relating to local government accountability;
3 amending s. 11.40, F.S., relating to the Legislative
4 Auditing Committee; directing the Department of
5 Community Affairs to institute procedures declaring
6 that a special district is inactive; amending s.
7 30.49, F.S.; specifying the level of detail required
8 for each fund in the sheriff's proposed budget;
9 revising the categories for expenditures; amending s.
10 112.63, F.S., relating to the review of the actuarial
11 reports and statements of retirement plans of
12 governmental entities by the Department of Management
13 Services; providing that the failure of a special
14 district to make appropriate adjustments or provide
15 additional information authorizes the department to
16 seek a writ of certiorari; amending s. 129.01, F.S.;
17 revising provisions relating to the preparation of
18 county budgets; amending s. 129.02, F.S.; revising
19 provisions relating to the preparation of special
20 district budgets; amending s. 129.021, F.S.;
21 conforming cross-references; amending s. 129.03, F.S.;
22 requiring tentative county budgets to be posted on the
23 county's website; amending s. 129.06, F.S.; revising
24 provisions relating to the execution and amendment of
25 county budgets; requiring revised budgets to be posted
26 on the county's website; amending s. 129.07, F.S.;
27 revising provisions relating to the prohibition
28 against exceeding the county budget; amending s.
29 129.201, F.S.; conforming and revising provisions

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30 relating to the budget of the supervisor of elections;
31 specifying the level of detail required for each fund
32 in the proposed budget; deleting the expenditure
33 categories; amending s. 166.241, F.S.; revising
34 provisions relating to the preparation or amendment of
35 municipal budgets; specifying the level of detail for
36 each fund in the budget; requiring such budgets to be
37 posted on the website of the municipality or related
38 county; amending s. 189.412, F.S.; adding the
39 Legislative Auditing Committee to the list of entities
40 that obtain special district noncompliance status
41 reports; amending s. 189.418, F.S.; revising
42 provisions relating to the preparation or amendment of
43 special district budgets; requiring such budgets to be
44 posted on the website of the district or related
45 county; amending s. 189.419, F.S.; revising procedures
46 relating to a special district's failure to file
47 certain reports or information; amending s. 189.421,
48 F.S.; revising procedures relating to the failure of a
49 special district to disclose financial reports;
50 authorizing the Department of Management Services to
51 seek a writ of certiorari; amending s. 195.087, F.S.;
52 requiring the final approved budget of the property
53 appraiser and tax collector to be posted on the
54 county's website; amending s. 218.32, F.S.; revising
55 the schedule for submitting a local governmental
56 entity's audit and annual financial reports to the
57 Department of Financial Services; requiring the
58 department to notify the Special District Information

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59 Program if it does not receive a financial report from
60 a local government entity; requiring a local
61 governmental entity to provide a link to the entity's
62 financial report on the department's website; amending
63 s. 218.35, F.S.; specifying the level of detail for
64 each fund in a county fee officer's budget; requiring
65 the court clerk's approved budget to be posted on the
66 county's website; amending s. 218.39, F.S.; revising
67 the timeframe for completing a local governmental
68 entity's annual financial audit; requiring that an
69 auditor prepare an audit report; requiring that such
70 report be filed with the Auditor General within a
71 specified time; requiring that the Auditor General
72 notify the Legislative Auditing Committee of any audit
73 report indicating that an audited entity has failed to
74 take corrective action; requiring that the chair of a
75 local governmental entity appear before the committee
76 under certain circumstances; amending s. 373.536,
77 F.S.; requiring water management district budgets to
78 be posted on the district's website; amending s.
79 1011.03, F.S.; requiring the budgets of district
80 school boards to be posted on the website of the
81 district or related county; amending s. 1011.051,
82 F.S.; revising provisions relating to the guidelines
83 for district school boards to maintain an unreserved
84 fund balance for the general fund; providing an
85 effective date.

86
87 Be It Enacted by the Legislature of the State of Florida:

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89 Section 1. Paragraph (b) of subsection (5) of section
90 11.40, Florida Statutes, is amended to read:

91 11.40 Legislative Auditing Committee.—

92 (5) Following notification by the Auditor General, the
93 Department of Financial Services, or the Division of Bond
94 Finance of the State Board of Administration of the failure of a
95 local governmental entity, district school board, charter
96 school, or charter technical career center to comply with the
97 applicable provisions within s. 11.45(5)-(7), s. 218.32(1), or
98 s. 218.38, the Legislative Auditing Committee may schedule a
99 hearing. If a hearing is scheduled, the committee shall
100 determine if the entity should be subject to further state
101 action. If the committee determines that the entity should be
102 subject to further state action, the committee shall:

103 (b) In the case of a special district, notify the
104 Department of Community Affairs that the special district has
105 failed to comply with the law. Upon receipt of notification, the
106 Department of Community Affairs shall proceed pursuant to s.
107 189.4044 or ~~the provisions specified in~~ s. 189.421.

108 Section 2. Subsections (1) and (2) of section 30.49,
109 Florida Statutes, are amended to read:

110 30.49 Budgets.—

111 (1) Pursuant to s. 129.03(2), each sheriff shall annually
112 prepare and submit ~~certify~~ to the board of county commissioners
113 a proposed budget ~~of expenditures~~ for the carrying out ~~of~~ the
114 powers, duties, and operations of the office for the next
115 ensuing fiscal year ~~of the county~~. At a minimum, the budget must
116 show for each fund, as required by law and sound financial

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117 practices, budgeted revenues and expenditures by organizational
118 unit in detail consistent with the annual financial report
119 required under s. 218.32(1). The fiscal year of the sheriff
120 shall ~~henceforth~~ commence on October 1 and end on September 30
121 of each year.

122 (2) (a) ~~The sheriff shall submit with the proposed budget~~
123 ~~his or her sworn certificate, stating that the proposed~~
124 ~~expenditures are reasonable and necessary for the proper and~~
125 ~~efficient operation of the office for the ensuing year.~~ The
126 proposed budget must ~~shall~~ show the estimated amounts of all
127 proposed expenditures for operating and equipping the sheriff's
128 office and jail, excluding the cost of construction, repair, or
129 capital improvement of county buildings during the ~~such~~ fiscal
130 year. The expenditures must ~~shall~~ be categorized at the
131 appropriate fund level in accordance with the following
132 functional categories:

- 133 1. General law enforcement.
- 134 2. Corrections and detention alternative facilities.
- 135 3. Court services, excluding service of process.

136 (b) The sheriff shall submit with the proposed budget a
137 sworn certificate stating that the proposed expenditures are
138 reasonable and necessary for the proper and efficient operation
139 of the office for the next fiscal year.

140 ~~(b) Within the appropriate fund and functional category,~~
141 ~~expenditures shall be itemized in accordance with the uniform~~
142 ~~chart of accounts prescribed by the Department of Financial~~
143 ~~Services, as follows:~~

- 144 ~~1. Personal services.~~
- 145 ~~2. Operating expenses.~~

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146 ~~3. Capital outlay.—~~

147 ~~4. Debt service.~~

148 ~~5. Nonoperating disbursements and contingency reserves.~~

149 (c) The sheriff shall submit to the board of county
150 commissioners for consideration and inclusion in the county
151 budget, as deemed appropriate by the county, requests for
152 construction, repair, or capital improvement of county buildings
153 operated or occupied by the sheriff.

154 Section 3. Subsection (4) of section 112.63, Florida
155 Statutes, is amended to read:

156 112.63 Actuarial reports and statements of actuarial
157 impact; review.—

158 (4) Upon receipt, pursuant to subsection (2), of an
159 actuarial report, or ~~upon receipt~~, pursuant to subsection (3),
160 of a statement of actuarial impact, the Department of Management
161 Services shall acknowledge such receipt, but shall only review
162 and comment on each retirement system's or plan's actuarial
163 valuations at least on a triennial basis.

164 (a) If the department finds that the actuarial valuation is
165 not complete, accurate, or based on reasonable assumptions or
166 otherwise materially fails to satisfy the requirements of this
167 part; ~~if the department~~ requires additional material
168 information necessary to complete its review of the actuarial
169 valuation of a system or plan or material information necessary
170 to satisfy the duties of the department pursuant to s.
171 112.665(1); or ~~if the department~~ does not receive the actuarial
172 report or statement of actuarial impact, the department shall
173 notify the administrator of the affected retirement system or
174 plan and the affected governmental entity and request

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175 appropriate adjustment, the additional material information, or
176 the required report or statement. The notification must inform
177 the administrator ~~of the affected retirement system or plan~~ and
178 the affected governmental entity of the consequences for failing
179 ~~failure~~ to comply with the requirements of this subsection.

180 (b) If, after a reasonable period of time, a satisfactory
181 adjustment is not made or the report, statement, or additional
182 material information is not provided, the department may notify
183 the Department of Revenue and the Department of Financial
184 Services of the ~~such~~ noncompliance, and ~~in which case~~ the
185 Department of Revenue and the Department of Financial Services
186 shall withhold any funds not pledged for satisfaction of bond
187 debt service which are payable to the affected governmental
188 entity until the adjustment is made or the report, statement, or
189 additional material information is provided to the department.
190 The Department of Management Services shall specify the date
191 such action is to begin and notify, ~~and notification by the~~
192 ~~department must be received by~~ the Department of Revenue, the
193 Department of Financial Services, and the affected governmental
194 entity 30 days before that date ~~the date the action begins~~.

195 (c) ~~(a)~~ Within 21 days after receipt of the notice, the
196 affected governmental entity may petition the Department of
197 Management Services for a hearing under ss. 120.569 and 120.57
198 ~~with the Department of Management Services~~. The Department of
199 Revenue and the Department of Financial Services may not be
200 parties to the ~~any such~~ hearing, but may request to intervene if
201 requested by the Department of Management Services or if the
202 Department of Revenue or the Department of Financial Services
203 determines its interests may be adversely affected by the

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204 hearing.

205 1. If the administrative law judge recommends in favor of
206 the department, the department shall perform an actuarial
207 review, prepare the statement of actuarial impact, or collect
208 the requested material information. The cost to the department
209 of performing the ~~such~~ actuarial review, preparing the
210 statement, or collecting the requested material information
211 shall be charged to the affected governmental entity whose ~~of~~
212 ~~which the~~ employees are covered by the retirement system or
213 plan. If payment ~~of such costs~~ is not received by the department
214 within 60 days after ~~receipt by~~ the affected governmental entity
215 receives ~~of~~ the request for payment, the department shall
216 certify to the Department of Revenue and the Department of
217 Financial Services the amount due, and the Department of Revenue
218 and the Department of Financial Services shall pay such amount
219 to the Department of Management Services from ~~any~~ funds not
220 pledged for satisfaction of bond debt service which are payable
221 to the affected governmental entity of ~~which the employees are~~
222 ~~covered by the retirement system or plan.~~

223 2. If the administrative law judge recommends in favor of
224 the affected governmental entity and the department performs an
225 actuarial review, prepares the statement of actuarial impact, or
226 collects the requested material information, the cost to the
227 department ~~of performing the actuarial review, preparing the~~
228 ~~statement, or collecting the requested material information~~
229 shall be paid by the Department of Management Services.

230 (d) ~~(b)~~ In the case of an affected special district, the
231 Department of Management Services shall also notify the
232 Department of Community Affairs. Upon receipt of notification,

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233 the Department of Community Affairs shall proceed pursuant to
234 ~~the provisions of s. 189.421 with regard to the special~~
235 ~~district.~~

236 1. Failure of a special district to provide a required
237 report or statement, to make appropriate adjustments, or to
238 provide additional material information after the procedures
239 specified in s. 189.421(1) are exhausted shall be deemed final
240 action by the district.

241 2. The Department of Management Services may notify the
242 Department of Community Affairs of those special districts that
243 failed to come into compliance. Upon receipt of notification,
244 the Department of Community Affairs shall proceed pursuant to s.
245 189.421(4).

246 Section 4. Section 129.01, Florida Statutes, is amended to
247 read:

248 129.01 Budget system established. ~~There is hereby~~
249 ~~established~~ A budget system for the control of the finances of
250 the boards of county commissioners of the several counties of
251 the state is established, as follows:

252 (1) A budget ~~There~~ shall be prepared, approved, adopted,
253 and executed, ~~as prescribed in this chapter, for the fiscal year~~
254 ~~ending September 30, 1952, and for each fiscal year.~~ At a
255 minimum, the budget must show for each fund, as thereafter, an
256 annual budget for such funds as may be required by law and or by
257 sound financial practices, budgeted revenues and expenditures by
258 organizational unit in detail consistent with the annual
259 financial report required under s. 218.32(1) and generally
260 ~~accepted accounting principles.~~ The adopted budget must shall
261 regulate all county expenditures ~~control the levy of taxes and~~

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262 ~~the expenditure of money for all county purposes during the~~
263 ~~ensuing fiscal year.~~

264 (2) The ~~Each~~ budget must ~~shall~~ conform to the following
265 general directions and requirements:

266 (a) The budget must ~~shall~~ be prepared, summarized, and
267 approved by the board of county commissioners of each county.

268 (b) The budget must ~~shall~~ be balanced, so that; ~~that is,~~
269 the total of the estimated receipts available from taxation and
270 other sources, including balances brought forward from prior
271 fiscal years, equals ~~shall equal~~ the total of ~~the~~ appropriations
272 for expenditures and reserves. ~~It shall conform to the uniform~~
273 ~~classification of accounts prescribed by the appropriate state~~
274 ~~agency.~~ The budgeted receipts must ~~division of the budget shall~~
275 include ~~95 percent of~~ all receipts reasonably ~~to be~~ anticipated
276 from all sources, including taxes to be levied, provided the
277 percent anticipated from ad valorem levies is ~~shall be~~ as
278 specified in s. 200.065(2) (a), and is 100 percent of the amount
279 of the balances ~~of both cash and liquid securities~~ estimated to
280 be brought forward at the beginning of the fiscal year. The
281 budgeted appropriations must ~~appropriation division of the~~
282 ~~budget shall~~ include itemized appropriations for all
283 expenditures authorized by law, contemplated to be made, or
284 incurred for the benefit of the county during the ~~said~~ year and
285 the provision for ~~the~~ reserves authorized by this chapter. Both
286 the receipts and appropriations must ~~appropriation divisions~~
287 ~~shall~~ reflect the approximate division of expenditures between
288 countywide expenditures and noncountywide expenditures and the
289 division of county revenues derived from or on behalf of the
290 county as a whole and county revenues derived from or on behalf

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291 of a municipal service taxing unit, special district included
 292 within the county budget, unincorporated area, service area, or
 293 program area, or otherwise not received for or on behalf of the
 294 county as a whole.

295 (c) Provision may be made for the following reserves:

296 1. A reserve for contingencies may be provided which does
 297 ~~in a sum~~ not ~~to~~ exceed 10 percent of the total budgeted
 298 appropriations ~~of the budget~~.

299 2. A reserve for cash balance to be carried over may be
 300 provided for the purpose of paying expenses from October 1 of
 301 the next ensuing fiscal year until ~~the time when~~ the revenues
 302 for that year are expected to be available. This reserve may ~~be~~
 303 not be more than 20 percent of the total budgeted
 304 appropriations. ~~However, receipts and balances of the budget;~~
 305 ~~provided that~~ for the bond interest and sinking fund budget,
 306 this reserve may not exceed ~~be not more than~~ the total
 307 maturities of debt, ~~(both principal and interest),~~ which that
 308 will occur during the next ensuing fiscal year, plus the sinking
 309 fund requirements, computed on a straight-line basis, for any
 310 outstanding obligations to be paid from the fund.

311 (d) An appropriation for "outstanding indebtedness" shall
 312 be made to provide for the payment of vouchers that ~~which~~ have
 313 been incurred in and charged against the budget for the current
 314 year or a prior year, but that ~~which~~ are expected to be unpaid
 315 at the beginning of the next fiscal ensuing year ~~for which the~~
 316 ~~budget is being prepared~~. The appropriation for the payment of
 317 such vouchers shall be to made in the same fund in which ~~for~~
 318 ~~which~~ the expenses were originally incurred.

319 (e) Any surplus arising from an excess of the estimated

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320 cash balance over the estimated amount of unpaid obligations to
 321 be carried over in a fund at the end of the current fiscal year
 322 may be transferred to any of the other funds of the county, and
 323 the amount so transferred shall be budgeted as a receipt to such
 324 other funds. However, a; ~~provided, that no such~~ surplus:

325 1. In a fund raised for debt service may not ~~shall~~ be
 326 transferred to another fund, except to a fund raised for the
 327 same purposes in the same territory, unless the debt of such
 328 territory has been extinguished, in which case it may be
 329 transferred to any other fund raised for that territory. ~~†~~
 330 ~~provided, further, that no such surplus~~

331 2. In a capital outlay reserve fund may not be transferred
 332 to another fund until ~~such time as~~ the projects for which the
 333 ~~such~~ capital outlay reserve fund was raised have been completed
 334 and all obligations paid.

335 Section 5. Subsection (6) of section 129.02, Florida
 336 Statutes, is amended to read:

337 129.02 Requisites of budgets.—Each budget shall conform to
 338 the following specific directions and requirements:

339 (6) For each special district included within the county
 340 budget, the ~~operating fund~~ budget must show estimated receipts
 341 from taxation and other sources, including balances brought
 342 forward from prior fiscal years, which must equal the total
 343 appropriations. The budgeted appropriations must include
 344 itemized appropriations for all ~~shall contain an estimate of~~
 345 ~~receipts by source and balances as provided herein, and an~~
 346 ~~itemized estimate of expenditures necessary that will need to be~~
 347 ~~incurred~~ to carry on all functions and activities of the special
 348 district as ~~now or hereafter~~ provided by law, including and of

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349 the indebtedness of the special district and the provision for
350 required reserves; ~~also of the reserves for contingencies and~~
351 ~~the balances, as hereinbefore provided, which should be carried~~
352 ~~forward at the end of the year.~~

353 Section 6. Section 129.021, Florida Statutes, is amended to
354 read:

355 129.021 County officer budget information.—Notwithstanding
356 other provisions of law, the budgets of all county officers, as
357 submitted to the board of county commissioners, must ~~shall~~ be in
358 sufficient detail and contain such information as the board of
359 county commissioners may require in furtherance of their powers
360 and responsibilities provided in ss. 125.01(1)(q), and (r), and
361 (v), 125.01(6), and (6) and 129.01(2)(b).

362 Section 7. Subsection (3) of section 129.03, Florida
363 Statutes, is amended to read:

364 129.03 Preparation and adoption of budget.—

365 (3) Within ~~No later than~~ 15 days after certification of
366 value by the property appraiser pursuant to s. 200.065(1), the
367 county budget officer, after tentatively ascertaining the
368 proposed fiscal policies of the board for the next ensuing
369 fiscal year, shall prepare and present to the board a tentative
370 budget for the next ensuing fiscal year for each of the funds
371 provided in this chapter, including all estimated receipts,
372 taxes to be levied, and balances expected to be brought forward
373 and all estimated expenditures, reserves, and balances to be
374 carried over at the end of the year.

375 (a) The board of county commissioners shall receive and
376 examine the tentative budget for each fund and, subject to the
377 notice and hearing requirements of s. 200.065, shall require

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378 such changes to be made as it deems ~~shall deem~~ necessary,^r
379 provided the budget remains ~~shall remain~~ in balance. The county
380 budget officer's estimates of receipts other than taxes, and of
381 balances to be brought forward, may ~~shall~~ not be revised except
382 by a resolution of the board, duly passed and spread on the
383 minutes of the board. However, the board may allocate to any of
384 the funds of the county any anticipated receipts, other than
385 taxes levied for a particular fund, except receipts designated
386 or received to be expended for a particular purpose.

387 (b) Upon receipt of the tentative budgets and completion of
388 any revisions ~~made by the board~~, the board shall prepare a
389 statement summarizing all of the adopted tentative budgets. The
390 ~~This~~ summary statement must ~~shall~~ show, for each budget and the
391 total of all budgets, the proposed tax millages, ~~the~~ balances,
392 ~~the~~ reserves, and the total of each major classification of
393 receipts and expenditures, classified according to the uniform
394 classification of accounts adopted ~~prescribed~~ by the Department
395 of Financial Services ~~appropriate state agency~~. The board shall
396 cause this summary statement to be advertised one time in a
397 newspaper of general circulation published in the county, or by
398 posting at the courthouse door if there is no such newspaper,
399 and the advertisement must ~~shall~~ appear adjacent to the
400 advertisement required pursuant to s. 200.065.

401 (c) The board shall hold public hearings to adopt tentative
402 and final budgets pursuant to s. 200.065. The hearings shall be
403 primarily for the purpose of hearing requests and complaints
404 from the public regarding the budgets and the proposed tax
405 levies and for explaining the budget and any proposed or adopted
406 amendments ~~thereto, if any~~. The tentative and adopted tentative

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407 budgets must be posted on the county's official website 2 to 5
408 days before the public hearings to consider such budgets. Upon
409 adoption, the final budget must be posted on the website on or
410 before the beginning of the next fiscal year. The tentative
411 budgets, adopted tentative budgets, and final budgets shall be
412 filed in the office of the county auditor as a public record.
413 Sufficient reference in words and figures to identify the
414 particular transactions shall be made in the minutes of the
415 board to record its actions with reference to the budgets.

416 Section 8. Subsection (1) and paragraphs (a) and (f) of
417 subsection (2) of section 129.06, Florida Statutes, are amended
418 to read:

419 129.06 Execution and amendment of budget.—

420 (1) Upon the final adoption of the budgets as provided in
421 this chapter, the budgets so adopted must ~~shall~~ regulate all the
422 expenditures of the county and each special district included
423 within the county budget, and the itemized estimates of
424 expenditures must ~~shall~~ have the effect of fixed appropriations
425 and may ~~shall~~ not be amended, altered, or exceeded except as
426 provided in this chapter.

427 (a) The modified-accrual basis or accrual basis of
428 accounting must be followed for all funds in accordance with
429 generally accepted accounting principles.

430 (b) The cost of the investments provided in this chapter,
431 or the receipts from their sale or redemption, may ~~must~~ not be
432 treated as expense or income, and ~~but~~ the investments on hand at
433 the beginning or end of each fiscal year must be carried as
434 separate items at cost in the fund balances; however, the
435 amounts of profit or loss received on their sale must be treated

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436 as income or expense, as applicable ~~the case may be~~.

437 (2) The board at any time within a fiscal year may amend a
438 budget for that year, and may within the first 60 days of a
439 fiscal year amend the budget for the prior fiscal year, as
440 follows:

441 (a) Appropriations for expenditures within ~~in~~ any fund may
442 be decreased or ~~and other appropriations in the same fund~~
443 ~~correspondingly~~ increased by motion recorded in the minutes,
444 provided that the total budgeted ~~of the~~ appropriations of the
445 fund does not change ~~may not be changed~~. The board of county
446 commissioners, ~~however,~~ may establish procedures by which the
447 designated budget officer may authorize ~~certain~~
448 ~~intradepartmental~~ budget amendments, provided that the total
449 budgeted appropriations ~~appropriation~~ of the fund does not
450 change ~~department may not be changed~~.

451 (f) Unless otherwise prohibited by law, if an amendment to
452 a budget is required for a purpose not specifically authorized
453 in paragraphs (a)-(e), ~~unless otherwise prohibited by law,~~ the
454 amendment may be authorized by resolution or ordinance of the
455 board of county commissioners adopted following a public
456 hearing.

457 1. The public hearing must be advertised at least 2 days,
458 but not more than 5 days, before the date of the hearing. The
459 advertisement must appear in a newspaper of paid general
460 circulation and must identify the name of the taxing authority,
461 the date, place, and time of the hearing, and the purpose of the
462 hearing. The advertisement must also identify each budgetary
463 fund to be amended, the source of the funds, the use of the
464 funds, and the total amount of each fund's budgeted

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465 appropriations budget.

466 2. If the board amends the budget pursuant to this
 467 paragraph, the adopted amendment must be posted on the county's
 468 official website within 5 days after adoption.

469 Section 9. Section 129.07, Florida Statutes, is amended to
 470 read:

471 129.07 Unlawful to exceed the budget; ~~certain contracts~~
 472 ~~void; commissioners contracting excess indebtedness personally~~
 473 ~~liable. It is unlawful for~~ The board of county commissioners may
 474 not to expend or enter into a contract requiring for
 475 expenditures the expenditure in any fiscal year for more than
 476 the amount of budgeted appropriations in each fund's budget,
 477 except as provided herein, and ~~in no case shall~~ the total
 478 appropriations of any budget may not be exceeded, except as
 479 provided in s. 129.06., ~~and~~ Any indebtedness contracted for any
 480 purpose against either of the funds enumerated in this chapter
 481 or for any purpose, ~~the expenditure for~~ which is chargeable to
 482 either of the said funds, is shall be null and void, and no suit
 483 may or suits shall be prosecuted in any court in this state for
 484 the collection of such indebtedness. same, ~~and~~ The members of
 485 the board of county commissioners voting ~~for~~ and contracting for
 486 such amounts and their the bonds are of such members of said
 487 ~~boards also shall be~~ liable for any the excess indebtedness ~~so~~
 488 contracted for.

489 Section 10. Section 129.201, Florida Statutes, is amended
 490 to read:

491 129.201 Budget of supervisor of elections; manner and time
 492 of preparation and presentation.-

493 (1) Pursuant to ss. 129.01 and s. 129.03(2), each

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494 supervisor of elections shall annually prepare and submit
495 ~~certify~~ to the board of county commissioners, or county budget
496 commission if there is one in the county, a proposed budget for
497 carrying out the powers, duties, and operations of income and
498 expenditures to fulfill the duties, responsibilities, and
499 operation of the office of the supervisor of elections for the
500 next ensuing fiscal year of the county. At a minimum, the budget
501 must show for each fund, as required by law and sound financial
502 practices, budgeted revenues and expenditures by organizational
503 unit in detail consistent with the annual financial report
504 required under s. 218.32(1). The fiscal year of the supervisor
505 of elections commences ~~shall commence~~ on October 1 of each year
506 and ends ~~shall end~~ on September 30 of the following year.

507 ~~(2)(a) Each expenditure item in the budget for the~~
508 ~~supervisor of elections shall be itemized generally as follows:~~

509 ~~1. Compensation for the supervisor of elections and all~~
510 ~~other personnel of the office.~~

511 ~~2. Operating expenses.~~

512 ~~3. Capital outlay.~~

513 ~~4. Contingencies and transfers.~~

514 ~~(b) To the extent appropriate, the budget shall be further~~
515 ~~itemized in conformance with the Uniform Accounting System for~~
516 ~~Local Units of Government in Florida adopted by rule of the~~
517 ~~Chief Financial Officer.~~

518 ~~(2)(3)~~ The supervisor of elections shall furnish to the
519 board of county commissioners or the county budget commission
520 all relevant and pertinent information that the ~~which such~~ board
521 or commission deems ~~shall deem~~ necessary.

522 ~~(3)(4)~~ The board or commission, as appropriate ~~the case may~~

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523 ~~be~~, may require the supervisor of elections to correct
524 mathematical, mechanical, factual, and clerical errors and
525 errors of form in the proposed budget. At the hearings held
526 pursuant to s. 200.065, the board or commission may amend,
527 modify, increase, or reduce any or all items of expenditure in
528 the proposed budget; and, as amended, modified, increased, or
529 reduced, such budget shall be approved by the board or
530 commission, which must provide ~~giving~~ written notice of its
531 action to specific items amended, modified, increased, or
532 reduced.

533 ~~(4)(5)~~ The board or commission shall include in the county
534 budget the items of proposed expenditures ~~as~~ set forth in the
535 budget which are required by this section to be submitted, after
536 the budget has been reviewed and approved. The board or
537 commission shall include the supervisor of elections' reserve
538 for contingencies ~~provided herein~~ in the general county budget's
539 reserve for contingencies ~~account in the general county budget.~~

540 ~~(5)(6)~~ The supervisor of elections' reserve for
541 contingencies is ~~in the budget of a supervisor of elections~~
542 ~~shall be~~ governed by the same provisions governing the amount
543 and use of the reserve for contingencies appropriated in the
544 county budget.

545 ~~(6)(7)~~ The proposed budget shall be submitted to the board
546 of county commissioners or county budget commission pursuant to
547 s. 129.03(2), ~~and the budget shall be~~ included by the board or
548 commission in the general county budget.

549 ~~(7)(8)~~ The items placed in the budget of the board are
550 ~~pursuant to this act shall be~~ subject to the same provisions of
551 law as the county annual budget; however, an ~~no~~ amendment ~~may be~~

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552 ~~made~~ to the appropriations of the office of the supervisor of
553 elections may not be made without due notice of the change to
554 the supervisor of elections.

555 ~~(8)-(9)~~ The budget of the supervisor of elections may be
556 increased by the board of county commissioners to cover such
557 expenses for emergencies and unanticipated expenses as are
558 recommended and justified by the supervisor of elections.

559 Section 11. Section 166.241, Florida Statutes, is amended
560 to read:

561 166.241 Fiscal years, ~~appropriations,~~ budgets, and budget
562 amendments.-

563 (1) Each municipality shall establish ~~make provision for~~
564 ~~establishing~~ a fiscal year beginning October 1 of each year and
565 ending September 30 of the following year.

566 (2) The governing body of each municipality shall adopt a
567 budget each fiscal year. The budget must be adopted by ordinance
568 or resolution unless otherwise specified in the respective
569 municipality's charter. The amount available from taxation and
570 other sources, including balances brought forward ~~amounts~~
571 ~~carried over~~ from prior fiscal years, must equal the total
572 appropriations for expenditures and reserves. At a minimum, the
573 adopted budget must show for each fund, as required by law and
574 sound financial practices, budgeted revenues and expenditures by
575 organizational unit in detail consistent with the annual
576 financial report required under s. 218.32(1). The adopted budget
577 must regulate all expenditures of the municipality, and an ~~it is~~
578 ~~unlawful for any~~ officer of a municipal government may not ~~to~~
579 expend or contract for expenditures in any fiscal year except
580 pursuant to the adopted budget ~~in pursuance of budgeted~~

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581 appropriations.

582 (3) The tentative and adopted tentative budgets must be
583 posted on the municipality's official website before the public
584 hearings, held pursuant to s. 200.065 or other law, to consider
585 such budgets. Upon adoption, the final budget must be posted on
586 the municipality's official website on or before the beginning
587 of the next fiscal year. If the municipality does not operate an
588 official website, the tentative budget, adopted tentative
589 budget, and final budget must be posted on the website of the
590 county or counties in which the municipality is located.

591 (4)~~(3)~~ The governing body of each municipality at any time
592 within a fiscal year or within up to 60 days following the end
593 of the fiscal year may amend a budget for that year as follows:

594 (a) Appropriations for expenditures within a fund may be
595 decreased or increased by motion recorded in the minutes if~~,~~
596 ~~provided that~~ the total budgeted ~~of the~~ appropriations of the
597 fund is not changed.

598 (b) The governing body may establish procedures by which
599 the designated budget officer may authorize ~~certain~~ budget
600 amendments if ~~within a department, provided that~~ the total
601 budgeted ~~of the~~ appropriations of the fund ~~department~~ is not
602 changed.

603 (c) If a budget amendment is required for a purpose not
604 specifically authorized in paragraph (a) or paragraph (b), the
605 budget amendment must be adopted in the same manner as the
606 original budget unless otherwise specified in the municipality's
607 ~~charter of the respective municipality.~~

608 (5) If the governing body of a municipality amends the
609 budget pursuant to paragraph (4) (c), the adopted amendment must

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610 be posted on the official website of the municipality, county,
611 or counties in which the municipality is located within 5 days
612 after adoption.

613 Section 12. Subsection (1) of section 189.412, Florida
614 Statutes, is amended to read:

615 189.412 Special District Information Program; duties and
616 responsibilities.—The Special District Information Program of
617 the Department of Community Affairs is created and has the
618 following special duties:

619 (1) The collection and maintenance of special district
620 noncompliance status reports from the Department of Management
621 Services, the Department of Financial Services, the Division of
622 Bond Finance of the State Board of Administration, ~~and~~ the
623 Auditor General, and the Legislative Auditing Committee for the
624 reporting required in ss. 112.63, 218.32, 218.38, and 218.39.
625 The noncompliance reports must list those special districts that
626 did not comply with the statutory reporting requirements.

627 Section 13. Subsections (3) through (7) of section 189.418,
628 Florida Statutes, are amended to read:

629 189.418 Reports; budgets; audits.—

630 (3) The governing body of each special district shall adopt
631 a budget by resolution each fiscal year. The total amount
632 available from taxation and other sources, including balances
633 brought forward ~~amounts carried over~~ from prior fiscal years,
634 must equal the total of appropriations for expenditures and
635 reserves. At a minimum, the adopted budget must show for each
636 fund, as required by law and sound financial practices, budgeted
637 revenues and expenditures by organizational unit in detail
638 consistent with the annual financial report required under s.

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639 218.32(1). The adopted budget must regulate all expenditures of
640 the special district, and an ~~it is unlawful for any~~ officer of a
641 special district may not ~~to~~ expend or contract for expenditures
642 in any fiscal year except pursuant to the adopted budget ~~in~~
643 ~~pursuance of budgeted appropriations.~~

644 (4) The tentative and adopted tentative budgets must be
645 posted on the special district's official website before the
646 budget hearings, held pursuant to s. 200.065 or other law, to
647 consider such budgets. Upon adoption, the final budget must be
648 posted on the special district's official website on or before
649 the beginning of the next fiscal year. If the special district
650 does not operate an official website, the tentative budget,
651 adopted tentative budget, and final budget must be posted on the
652 website of the local general-purpose government or governing
653 authority or authorities in which the special district is
654 located. This subsection and subsection (3) do not apply to
655 water management districts as defined within s. 373.019.

656 (5)~~(4)~~ The proposed budget of a dependent special district
657 must ~~shall~~ be ~~presented in accordance with generally accepted~~
658 ~~accounting principles,~~ contained within the general budget of
659 the local governing authority, and be clearly stated as the
660 budget of the dependent district. However, with the concurrence
661 of the local governing authority, a dependent district may be
662 budgeted separately.

663 (6)~~(5)~~ The governing body of each special district at any
664 time within a fiscal year or within up to 60 days following the
665 end of the fiscal year may amend a budget for that year as
666 follows:-

667 (a) Appropriations for expenditures within a fund may be

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668 decreased or increased by motion recorded in the minutes if the
669 total budgeted appropriations of the fund do not change.

670 (b) The governing body may establish procedures by which
671 the designated budget officer may authorize certain budget
672 amendments if the total budgeted appropriations of the fund is
673 not changed.

674 (c) If a budget amendment is required for a purpose not
675 specifically authorized in paragraph (a) or paragraph (b), the
676 budget amendment must be adopted by resolution.

677 (7) If the governing body of a special district amends the
678 budget pursuant to paragraph (6) (c), the adopted amendment must
679 be posted on the official website of the special district or the
680 local general-purpose government or governing authority or
681 authorities in which the special district is located within 5
682 days after adoption.

683 (8) ~~(6)~~ A local governing authority may, ~~in its discretion,~~
684 review the budget or tax levy of any special district located
685 solely within its boundaries.

686 (9) ~~(7)~~ All reports or information required to be filed with
687 a local general-purpose government or governing authority under
688 ss. 189.415, 189.416, and 189.417 and this section shall:

689 (a) ~~If~~ ~~When~~ the local general-purpose government or
690 governing authority is a county, be filed with the clerk of the
691 board of county commissioners.

692 (b) ~~If~~ ~~When~~ the district is a multicounty district, be
693 filed with the clerk of the county commission in each county.

694 (c) ~~If~~ ~~When~~ the local general-purpose government or
695 governing authority is a municipality, be filed at the place
696 designated by the municipal governing body.

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697 Section 14. Section 189.419, Florida Statutes, is amended
698 to read:

699 189.419 Effect of failure to file certain reports or
700 information.—

701 (1) If a special district fails to file the reports or
702 information required under s. 189.415, s. 189.416, or s. 189.417
703 with the local general-purpose government or governing
704 authority, or if a dependent special district fails to cooperate
705 with its local governing authority concerning the requirements
706 under s. 218.32 or s. 218.39, the person authorized to receive
707 and read the reports or information or the local general-purpose
708 government shall notify the district's registered agent ~~and the~~
709 ~~appropriate local governing authority or authorities.~~ If
710 requested by the district, the local general-purpose government
711 or governing authority shall grant an extension of ~~time of~~ up to
712 30 days for filing the required reports or information.

713 (2) If ~~a at any time the~~ local general-purpose government
714 or governing authority or authorities or the board of county
715 ~~commissioners~~ determines that there has been an unjustified
716 failure to file the reports or information described in
717 subsection (1), it may notify the department, and the department
718 may proceed pursuant to s. 189.421.

719 (3) If a special district fails to file the reports or
720 information required under ~~s. 112.63, s. 218.32, s. 218.38, or~~
721 ~~s. 218.39~~ with the appropriate state agency, the agency shall
722 notify the department, and the department shall send a certified
723 technical assistance letter to the special district which
724 summarizes the requirements and encourages the special district
725 to take steps to prevent the noncompliance from reoccurring

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726 ~~proceed pursuant to s. 189.421.~~

727 (4) If a special district fails to file the reports or
 728 information required under s. 112.63 with the appropriate state
 729 agency, the agency shall notify the department and the
 730 department shall proceed pursuant to s. 189.421(1).

731 (5) If a special district fails to file the reports or
 732 information required under s. 218.32 or s. 218.39 with the
 733 appropriate state agency or office, the state agency or office
 734 shall, and the Legislative Auditing Committee may, notify the
 735 department and the department shall proceed pursuant to s.
 736 189.421(1).

737 Section 15. Section 189.421, Florida Statutes, is amended
 738 to read:

739 189.421 Failure of district to disclose financial reports.-

740 (1) ~~If~~ When notified pursuant to s. 189.419(2), (4), or (5)
 741 ~~189.419~~, the department shall attempt to assist a special
 742 district in complying to comply with its financial reporting
 743 requirements by sending a certified letter to the special
 744 district, and, if the special district is dependent, sending a
 745 copy of that the letter to the chair of the ~~governing body of~~
 746 ~~the local governing authority.~~ The letter must include general-
 747 purpose government, which includes the following: a description
 748 of the required report, including statutory submission
 749 deadlines, a contact telephone number for technical assistance
 750 to help the special district comply, a 60-day deadline extension
 751 ~~of time~~ for filing the required report with the appropriate
 752 entity, the address where the report must be filed, and an
 753 explanation of the penalties for noncompliance.

754 (a) A special district that is unable to meet the 60-day

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755 reporting deadline must provide written notice to the department
756 before the expiration of the deadline stating the reason the
757 special district is unable to comply with the deadline, the
758 steps the special district is taking to prevent the
759 noncompliance from reoccurring, and the estimated date that the
760 special district will file the report with the appropriate
761 agency. The district's written response does not constitute an
762 extension by the department; however, the department shall
763 forward the written response to the Legislative Auditing
764 Committee for its consideration in determining whether the
765 special district should be subject to further state action in
766 accordance with s. 11.40(5)(b).

767 (b) If the special district does not comply with the
768 reports and information requirements listed in s. 189.419(1),
769 the department shall forward such written response to the local
770 general-purpose government for its consideration in determining
771 whether the special district should be subject to further action
772 by the local general-purpose government or a declaration of
773 inactive status in accordance with s. 189.4044.

774 (c) If the special district does not comply with the
775 requirements of s. 112.63, the department shall forward such
776 written response to the Department of Management Services for
777 its consideration in determining whether the special district
778 should be subject to further state action in accordance with s.
779 112.63(4)(b)2. ~~The department may grant an additional 30-day~~
780 ~~extension of time if requested to do so in writing by the~~
781 ~~special district. The department shall notify the appropriate~~
782 ~~entity of the new extension of time. In the case of a special~~
783 ~~district that did not timely file the reports or information~~

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784 ~~required by s. 218.38, the department shall send a certified~~
785 ~~technical assistance letter to the special district which~~
786 ~~summarizes the requirements and encourages the special district~~
787 ~~to take steps to prevent the noncompliance from reoccurring.~~

788 (2) Failure of a special district to comply with the
789 actuarial and financial reporting requirements under s. 112.63,
790 s. 218.32, or s. 218.39 after the procedures of subsection (1)
791 are exhausted shall be deemed final action of the special
792 district. The actuarial and financial reporting requirements are
793 declared to be essential requirements of law. Remedy for
794 noncompliance shall be by writ of certiorari as set forth in
795 subsection (4) ~~(3)~~.

796 (3) Pursuant to s. 11.40(5)(b), the Legislative Auditing
797 Committee shall notify the department of those districts that
798 fail ~~failed~~ to file the required reports ~~report~~. If the
799 procedures described in subsection (1) have not yet been
800 initiated, the department shall initiate such procedures upon
801 receiving the notice from the Legislative Auditing Committee.
802 Otherwise, within 60 ~~30~~ days after receiving such ~~this~~ notice,
803 or within 60 ~~30~~ days after the expiration of the 60-day deadline
804 ~~extension date~~ provided in subsection (1), whichever occurs
805 later, the department, shall proceed as follows: notwithstanding
806 the provisions of chapter 120, ~~the department~~ shall file a
807 petition for writ of certiorari with the circuit court. Venue
808 for all actions pursuant to this subsection is ~~shall be~~ in Leon
809 County. The court shall award the prevailing party attorney's
810 fees and costs in all cases filed pursuant to this section
811 unless affirmatively waived by all parties. A writ of certiorari
812 shall be issued unless a respondent establishes that the

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813 notification of the Legislative Auditing Committee was issued as
814 a result of material error. Proceedings under this subsection
815 shall otherwise be governed by the Rules of Appellate Procedure.

816 (4) Pursuant to s. 112.63(4)(d)2., the Department of
817 Management Services may notify the department of those special
818 districts that fail to file the required adjustment, additional
819 information, or report or statement after the procedures of
820 subsection (1) have been exhausted. Within 60 days after
821 receiving such notice or within 60 days after the 60-day
822 deadline provided in subsection (1), whichever occurs later, the
823 department, notwithstanding chapter 120, shall file a petition
824 for writ of certiorari with the circuit court. Venue for all
825 actions pursuant to this subsection is in Leon County. The court
826 shall award the prevailing party attorney's fees and costs in
827 all cases filed pursuant to this section unless affirmatively
828 waived by all parties. A writ of certiorari shall be issued
829 unless a respondent establishes that the notification of the
830 Department of Management Services was issued as a result of
831 material error. Proceedings under this subsection are otherwise
832 governed by the Rules of Appellate Procedure.

833 Section 16. Subsection (6) is added to section 195.087,
834 Florida Statutes, to read:

835 195.087 Property appraisers and tax collectors to submit
836 budgets to Department of Revenue.—

837 (6) The final approved budget of each property appraiser
838 and tax collector must be posted on the county's official
839 website on or before the beginning of the next fiscal year.

840 Section 17. Paragraphs (d), (e), and (f) of subsection (1)
841 of section 218.32, Florida Statutes, are amended, and paragraph

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842 (g) is added to that subsection, to read:

843 218.32 Annual financial reports; local governmental
844 entities.—

845 (1)

846 (d) Each local governmental entity that is required to
847 provide for an audit under ~~in accordance with~~ s. 218.39(1) must
848 submit ~~the annual financial report with the audit report.~~ a copy
849 of the audit report and annual financial report ~~must be~~
850 ~~submitted~~ to the department within 45 days after the completion
851 of the audit report but no later than 9 ~~12~~ months after the end
852 of the fiscal year.

853 (e) Each local governmental entity that is not required to
854 provide for an audit under ~~report in accordance with~~ s. 218.39
855 must submit the annual financial report to the department no
856 later than 9 months after the end of the fiscal ~~April 30 of each~~
857 year. The department shall consult with the Auditor General in
858 the development of the format of annual financial reports
859 submitted pursuant to this paragraph. The format must ~~shall~~
860 include balance sheet information used ~~to be utilized~~ by the
861 Auditor General pursuant to s. 11.45(7) (f). The department must
862 forward the financial information contained within the ~~these~~
863 ~~entities'~~ annual financial reports to the Auditor General in
864 electronic form. This paragraph does not apply to housing
865 authorities created under chapter 421.

866 (f) If the department does not receive a completed annual
867 financial report from a local governmental entity within the
868 required period, it shall notify the Legislative Auditing
869 Committee and the Special District Information Program of the
870 Department of Community Affairs of the ~~local governmental~~

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871 entity's failure to comply with the reporting requirements. The
872 committee shall proceed in accordance with s. 11.40(5).

873 (g) Each local governmental entity's website must provide a
874 link to the department's website to view the entity's annual
875 financial report submitted to the department pursuant to this
876 section. If the local governmental entity does not have an
877 official website, the county government's website must provide
878 the required link for the local governmental entity.

879 Section 18. Section 218.35, Florida Statutes, is amended to
880 read:

881 218.35 County fee officers; financial matters.—

882 (1) Each county fee officer shall establish an annual
883 budget for carrying out the powers, duties, and operations of
884 his or her office for the next county fiscal year ~~which shall~~
885 ~~clearly reflect the revenues available to said office and the~~
886 ~~functions for which money is to be expended.~~ The budget must
887 ~~shall~~ be balanced so that; ~~that is,~~ the total of estimated
888 receipts, including balances brought forward, equals ~~shall equal~~
889 the total of estimated expenditures and reserves. The budgeting
890 of segregated funds must ~~shall~~ be made in a ~~such~~ manner that
891 retains the relation between program and revenue source, as
892 provided by law ~~is retained.~~

893 (2) The clerk of the circuit court, functioning in his or
894 her capacity as clerk of the circuit and county courts and as
895 clerk of the board of county commissioners, shall prepare his or
896 her budget in two parts:

897 (a) The budget for funds necessary to perform court-related
898 functions as provided ~~for~~ in s. 28.36, ~~which shall detail the~~
899 ~~methodologies used to apportion costs between court-related and~~

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900 ~~non-court related functions performed by the clerk.~~

901 (b) The budget relating to the requirements of the clerk as
902 clerk of the board of county commissioners, county auditor, and
903 custodian or treasurer of all county funds and other county-
904 related duties, which shall be annually prepared and submitted
905 to the board of county commissioners pursuant to s. 129.03(2),
906 for each fiscal year. At a minimum, the budget must show for
907 each fund, as required by law and sound financial practices,
908 budgeted revenues and expenditures by organizational unit in
909 detail consistent with the annual financial report required
910 under s. 218.32(1).

911 (3) The final approved budget of the clerk of the circuit
912 court must be posted on the county's official website on or
913 before the beginning of the next fiscal year.

914 (4) ~~(3)~~ Each county fee officer shall establish ~~make~~
915 ~~provision for establishing~~ a fiscal year beginning October 1 and
916 ending September 30 of the following year, and shall report his
917 or her finances annually upon the close of each fiscal year to
918 the county fiscal officer for inclusion in the annual financial
919 report by the county.

920 (5) ~~(4)~~ The proposed budget of a county fee officer shall be
921 filed with the clerk of the county governing authority by
922 September 1 preceding the fiscal year for the budget, except for
923 the budget prepared by the clerk of the circuit court for court-
924 related functions as provided in s. 28.36.

925 Section 19. Section 218.39, Florida Statutes, is amended to
926 read:

927 218.39 Annual financial audit reports.—

928 (1) If, by the first day in any fiscal year, a local

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929 governmental entity, district school board, charter school, or
930 charter technical career center has not been notified that a
931 financial audit for that fiscal year will be performed by the
932 Auditor General, each of the following entities shall have an
933 annual financial audit of its accounts and records completed
934 within 9 ~~12~~ months after the end of its fiscal year by an
935 independent certified public accountant retained by it and paid
936 from its public funds:

937 (a) Each county.

938 (b) Any municipality with revenues or the total of
939 expenditures and expenses in excess of \$250,000.

940 (c) Any special district with revenues or the total of
941 expenditures and expenses in excess of \$100,000.

942 (d) Each district school board.

943 (e) Each charter school established under s. 1002.33.

944 (f) Each charter technical center established under s.
945 1002.34.

946 (g) Each municipality with revenues or the total of
947 expenditures and expenses between \$100,000 and \$250,000 that has
948 not been subject to a financial audit pursuant to this
949 subsection for the 2 preceding fiscal years.

950 (h) Each special district with revenues or the total of
951 expenditures and expenses between \$50,000 and \$100,000 that has
952 not been subject to a financial audit pursuant to this
953 subsection for the 2 preceding fiscal years.

954 (2) The county audit report must ~~shall~~ be a single document
955 that includes a financial audit of the county as a whole and,
956 for each county agency other than a board of county
957 commissioners, an audit of its financial accounts and records,

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958 including reports on compliance and internal control, management
959 letters, and financial statements as required by rules adopted
960 by the Auditor General. In addition ~~to such requirements~~, if a
961 board of county commissioners elects to have a separate audit of
962 its financial accounts and records in the manner required by
963 rules adopted by the Auditor General for other county agencies,
964 the ~~such~~ separate audit must ~~shall~~ be included in the county
965 audit report.

966 (3) (a) A dependent special district may provide ~~make~~
967 ~~provision~~ for an annual financial audit by being included in
968 ~~within~~ the audit of the ~~another~~ local governmental entity upon
969 which it is dependent. An independent special district may not
970 make provision for an annual financial audit by being included
971 in ~~within~~ the audit of another local governmental entity.

972 (b) A special district that is a component unit, as defined
973 by generally accepted accounting principles, of a local
974 governmental entity shall provide the local governmental entity,
975 within a reasonable time period as established by the local
976 governmental entity, with financial information necessary to
977 comply with this section. The failure of a component unit to
978 provide this financial information must be noted in the annual
979 financial audit report of the local governmental entity.

980 (4) A management letter shall be prepared and included as a
981 part of each financial audit report.

982 (5) At the conclusion of the audit, the auditor shall
983 discuss with the chair of the governing body of the ~~each~~ local
984 governmental entity or the chair's designee, ~~or with~~ the elected
985 official of each county agency or ~~with~~ the elected official's
986 designee, ~~or with~~ the chair of the district school board or the

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987 chair's designee, ~~or with~~ the chair of the board of the charter
988 school or the chair's designee, or ~~with~~ the chair of the board
989 of the charter technical career center or the chair's designee,
990 as appropriate, all of the auditor's comments that will be
991 included in the audit report. If the officer is not available to
992 discuss the auditor's comments, their discussion is presumed
993 when the comments are delivered in writing to his or her office.
994 The auditor shall notify each member of the governing body of a
995 local governmental entity, district school board, charter
996 school, or charter technical career center for which
997 deteriorating financial conditions exist that may cause a
998 condition described in s. 218.503(1) to occur if actions are not
999 taken to address such conditions.

1000 (6) The officer's written statement of explanation or
1001 rebuttal concerning the auditor's findings, including corrective
1002 action to be taken, must be filed with the governing body of the
1003 local governmental entity, district school board, charter
1004 school, or charter technical career center within 30 days after
1005 the delivery of the auditor's findings.

1006 (7) All audits conducted pursuant to this section must be
1007 conducted in accordance with the rules of the Auditor General
1008 adopted pursuant to s. 11.45. Upon completion of the audit, the
1009 auditor shall prepare an audit report in accordance with the
1010 rules of the Auditor General. The audit report shall be filed
1011 with the Auditor General within 45 days after delivery of the
1012 audit report to the governing body of the audited entity, but no
1013 later than 9 months after the end of the audited entity's fiscal
1014 year. The audit report must include a written statement
1015 describing corrective actions to be taken in response to each of

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1016 the auditor's recommendations included in the audit report.

1017 (8) The Auditor General shall notify the Legislative
1018 Auditing Committee of any audit report prepared pursuant to this
1019 section which indicates that an audited entity has failed to
1020 take full corrective action in response to a recommendation that
1021 was included in the two preceding financial audit reports. The
1022 committee may direct the governing body of the audited entity to
1023 provide a written statement to the committee explaining why full
1024 corrective action has not been taken or, if the governing body
1025 intends to take full corrective action, describing the
1026 corrective action to be taken and when it will occur. If the
1027 committee determines that the written statement is not
1028 sufficient, it may require the chair of the governing body of
1029 the local governmental entity or the chair's designee, the
1030 elected official of each county agency or the elected official's
1031 designee, the chair of the district school board or the chair's
1032 designee, the chair of the board of the charter school or the
1033 chair's designee, or the chair of the board of the charter
1034 technical career center or the chair's designee, as appropriate,
1035 to appear before the committee. If the committee determines that
1036 an audited entity has failed to take full corrective action for
1037 which there is no justifiable reason for not taking such action,
1038 or has failed to comply with committee requests made pursuant to
1039 this section, the committee may proceed in accordance with s.
1040 11.40(5).

1041 (9)~~(7)~~ The predecessor auditor of a district school board
1042 shall provide the Auditor General access to the prior year's
1043 working papers in accordance with the Statements on Auditing
1044 Standards, including documentation of planning, internal

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1045 control, audit results, and other matters of continuing
1046 accounting and auditing significance, such as the working paper
1047 analysis of balance sheet accounts and those relating to
1048 contingencies.

1049 ~~(8) All audits conducted in accordance with this section~~
1050 ~~must be conducted in accordance with the rules of the Auditor~~
1051 ~~General promulgated pursuant to s. 11.45. All audit reports and~~
1052 ~~the officer's written statement of explanation or rebuttal must~~
1053 ~~be submitted to the Auditor General within 45 days after~~
1054 ~~delivery of the audit report to the entity's governing body, but~~
1055 ~~no later than 12 months after the end of the fiscal year.~~

1056 (10)~~(9)~~ Each charter school and charter technical career
1057 center must file a copy of its audit report with the sponsoring
1058 entity; the local district school board, if not the sponsoring
1059 entity; the Auditor General; and with the Department of
1060 Education.

1061 (11)~~(10)~~ This section does not apply to housing authorities
1062 created under chapter 421.

1063 (12)~~(11)~~ Notwithstanding the provisions of any local law,
1064 the provisions of this section shall govern.

1065 Section 20. Paragraph (c) of subsection (5) of section
1066 373.536, Florida Statutes, is amended, and paragraph (c) is
1067 added to subsection (6) of that section, to read:

1068 373.536 District budget and hearing thereon.—

1069 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
1070 APPROVAL.—

1071 (c) Each water management district shall, by August 1 of
1072 each year, submit for review a tentative budget to the Governor,
1073 the President of the Senate, the Speaker of the House of

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1074 Representatives, the chairs of all legislative committees and
1075 subcommittees with substantive or fiscal jurisdiction over water
1076 management districts, as determined by the President of the
1077 Senate or the Speaker of the House of Representatives as
1078 applicable, the secretary of the department, and the governing
1079 body of each county in which the district has jurisdiction or
1080 derives any funds for the operations of the district. The
1081 tentative budget must be posted on the water management
1082 district's official website 2 to 5 days before budget hearings
1083 held pursuant to s. 200.065 or other law.

1084 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;
1085 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1086 (c) Upon adoption, the final budget must be posted on the
1087 water management district's official website on or before the
1088 beginning of the next fiscal year.

1089 Section 21. Subsections (1) and (5) of section 1011.03,
1090 Florida Statutes, are amended, and subsection (6) is added to
1091 that section, to read:

1092 1011.03 Public hearings; budget to be submitted to
1093 Department of Education.—

1094 (1) Each district school board must cause a summary of its
1095 tentative budget, including the proposed millage levies as
1096 provided for by law, and graphs illustrating a historical
1097 summary of financial and demographic data, to be advertised at
1098 least once ~~one time~~ as a full-page advertisement in the
1099 newspaper with the largest circulation published in the district
1100 or to be posted at the courthouse door if there be no such
1101 newspaper. The board shall post the summary of its tentative
1102 budget on the district's official website. If the district does

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1103 not operate an official website, the summary must be posted on
1104 the website of the county in which the district is located.

1105 (5) The board shall hold public hearings to adopt tentative
1106 and final budgets pursuant to s. 200.065. The hearings shall be
1107 primarily for the purpose of hearing requests and complaints
1108 from the public regarding the budgets and the proposed tax
1109 levies and for explaining the budget and proposed or adopted
1110 amendments thereto, if any. The tentative and adopted tentative
1111 budgets must be posted on the district's official website 2 to 5
1112 days before the budget hearings held pursuant to s. 200.065 or
1113 other law. Upon adoption, the final budget must be posted on the
1114 district's official website on or before the beginning of the
1115 next fiscal year. If the district does not operate an official
1116 website, the tentative budget, adopted tentative budget, and
1117 final budget must be posted on the website of the county in
1118 which it is located. The ~~district school~~ board shall ~~then~~
1119 require the superintendent to transmit ~~forthwith~~ two copies of
1120 the adopted budget to the Department of Education for approval
1121 as prescribed by law and rules of the State Board of Education.

1122 (6) If the governing body of a district amends the budget,
1123 the adopted amendment must be posted on the official website of
1124 the district or county in which the district is located within 5
1125 days after adoption.

1126 Section 22. Section 1011.051, Florida Statutes, is amended
1127 to read:

1128 1011.051 Guidelines for general funds.—The district school
1129 board shall maintain an unreserved fund balance for the general
1130 fund ~~which balance that~~ is sufficient to address normal
1131 contingencies.

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1132 (1) If at any time the unreserved fund balance of the
1133 general fund ~~balance~~ in the district's approved operating budget
1134 is projected to fall ~~during the current fiscal year~~ below 3
1135 percent of projected general fund revenues during the current
1136 fiscal year, the superintendent shall provide written
1137 notification to the district school board and the Commissioner
1138 of Education.

1139 (2) If the unreserved fund balance for the general fund
1140 ~~balance~~ in the district's approved operating budget is projected
1141 to fall ~~during the current fiscal year~~ below 2 percent of
1142 projected general fund revenues during the current fiscal year,
1143 the superintendent shall provide written notification to the
1144 district school board and the Commissioner of Education. Within
1145 14 days after receiving such notification, if the commissioner
1146 determines that the district does not have a plan that is
1147 reasonably anticipated to avoid a financial emergency as
1148 determined pursuant to s. 218.503, the commissioner shall
1149 appoint a financial emergency board that shall operate
1150 consistent with the requirements, powers, and duties specified
1151 in s. 218.503(3)(g).

1152 Section 23. This act shall take effect upon becoming a law.