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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; clarifying when the Department of  
5           Community Affairs may institute procedures for  
6           declaring that a special district is inactive;  
7           amending s. 30.49, F.S.; specifying the level of  
8           detail required for each fund in the sheriff's  
9           proposed budget; revising the categories for  
10          expenditures; amending s. 112.63, F.S., relating to  
11          the review of the actuarial reports and statements of  
12          retirement plans of governmental entities by the  
13          Department of Management Services; providing that the  
14          failure of a special district to make appropriate  
15          adjustments or provide additional information  
16          authorizes the department to seek a writ of  
17          certiorari; amending s. 129.01, F.S.; revising  
18          provisions relating to the preparation of county  
19          budgets; specifying the level of detail required for  
20          each fund in the budget; amending s. 129.02, F.S.;  
21          revising provisions relating to the preparation of  
22          special district budgets; specifying the level of  
23          detail required for each fund in the budget; amending  
24          s. 129.021, F.S.; conforming cross-references;  
25          amending s. 129.03, F.S.; deleting a time restriction  
26          on preparing and presenting a tentative county budget;  
27          requiring tentative county budgets to be posted on the  
28          county's website; amending s. 129.06, F.S.; revising  
29          provisions relating to the execution and amendment of

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30 county budgets; requiring revised budgets to be posted  
31 on the county's website; amending s. 129.07, F.S.;  
32 revising provisions relating to the prohibition  
33 against exceeding the county budget; amending s.  
34 129.201, F.S.; conforming and revising provisions  
35 relating to the budget of the supervisor of elections;  
36 specifying the level of detail required for each fund  
37 in the proposed budget; revising expenditure  
38 categories; amending s. 166.241, F.S.; revising  
39 provisions relating to the preparation or amendment of  
40 municipal budgets; specifying the level of detail for  
41 each fund in the budget; requiring such budgets and  
42 amendment to such budgets to be posted on the website  
43 of the municipality or related county; amending s.  
44 189.4044, F.S.; adding failure to file a registered  
45 office or agent with the department for 1 or more  
46 years as a criteria for declaring a special district  
47 inactive; amending s. 189.412, F.S.; adding the  
48 Legislative Auditing Committee to the list of entities  
49 that obtain special district noncompliance status  
50 reports; amending s. 189.418, F.S.; revising  
51 provisions relating to the preparation or amendment of  
52 special district budgets; specifying the level of  
53 detail for each fund in the budget; requiring such  
54 budgets to be posted on the website of the special  
55 district or related local general-purpose government  
56 or governing authority; requiring special districts to  
57 comply with certain reporting requirements;  
58 authorizing a local governing authority to request

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59 certain financial information from special districts  
60 located solely within the boundaries of the authority;  
61 requiring special districts to cooperate with such  
62 requests; amending s. 189.419, F.S.; revising  
63 procedures relating to a special district's failure to  
64 file certain reports or information; amending s.  
65 189.421, F.S.; revising procedures relating to the  
66 failure of a special district to disclose financial  
67 reports; authorizing the Department of Community  
68 Affairs to seek a writ of certiorari; amending s.  
69 195.087, F.S.; requiring the final approved budget of  
70 the property appraiser and tax collector to be posted  
71 on their respective website or, if not available, the  
72 county's website; amending s. 218.32, F.S.; revising  
73 the schedule for submitting a local governmental  
74 entity's audit and annual financial reports to the  
75 Department of Financial Services; requiring the  
76 department to notify the Special District Information  
77 Program if it does not receive a financial report from  
78 a local government entity; requiring a local  
79 governmental entity to provide a link to the entity's  
80 financial report on the department's website; amending  
81 s. 218.35, F.S.; requiring the budget for certain  
82 county-related duties to be itemized in accordance  
83 with the uniform accounting system of the Department  
84 of Financial Services; specifying the level of detail  
85 for each fund in the clerk of the court's budget;  
86 requiring the court clerk's approved budget to be  
87 posted on the county's website; amending s. 218.39,

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88 F.S.; revising the timeframe for completing a local  
89 governmental entity's annual financial audit;  
90 requiring that an auditor prepare an audit report;  
91 requiring that such report be filed with the Auditor  
92 General within a specified time; requiring that the  
93 Auditor General notify the Legislative Auditing  
94 Committee of any audit report indicating that an  
95 audited entity has failed to take corrective action;  
96 requiring that the chair of a local governmental  
97 entity appear before the committee under certain  
98 circumstances; amending s. 218.503, F.S.; revising  
99 provisions relating to oversight by the Governor when  
100 an entity's financial statements show it cannot cover  
101 a deficit of funds; amending s. 373.536, F.S.;

102 requiring that water management district budgets be  
103 posted on the district website; amending s. 1011.03,  
104 F.S.; requiring the summary of the tentative budget,  
105 the tentative budget, and the budget of a district  
106 school board to be posted on the website of the  
107 district or related county; amending s. 1011.051,  
108 F.S.; revising provisions relating to the guidelines  
109 for district school boards to maintain an ending fund  
110 balance for the general fund; amending s. 1011.64,  
111 F.S.; revising obsolete accounting terminology;  
112 providing an effective date.

113  
114 Be It Enacted by the Legislature of the State of Florida:

115  
116 Section 1. Paragraph (b) of subsection (5) of section

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117 11.40, Florida Statutes, is amended to read:

118 11.40 Legislative Auditing Committee.—

119 (5) Following notification by the Auditor General, the  
120 Department of Financial Services, or the Division of Bond  
121 Finance of the State Board of Administration of the failure of a  
122 local governmental entity, district school board, charter  
123 school, or charter technical career center to comply with the  
124 applicable provisions within s. 11.45(5)-(7), s. 218.32(1), or  
125 s. 218.38, the Legislative Auditing Committee may schedule a  
126 hearing. If a hearing is scheduled, the committee shall  
127 determine if the entity should be subject to further state  
128 action. If the committee determines that the entity should be  
129 subject to further state action, the committee shall:

130 (b) In the case of a special district, notify the  
131 Department of Community Affairs that the special district has  
132 failed to comply with the law. Upon receipt of notification, the  
133 Department of Community Affairs shall proceed pursuant to s.  
134 189.4044 or ~~the provisions specified in~~ s. 189.421.

135 Section 2. Subsections (1) through (4) of section 30.49,  
136 Florida Statutes, are amended to read:

137 30.49 Budgets.—

138 (1) Pursuant to s. 129.03(2), each sheriff shall annually  
139 prepare and submit ~~certify~~ to the board of county commissioners  
140 a proposed budget ~~of expenditures~~ for the carrying out of the  
141 powers, duties, and operations of the office for the next  
142 ~~ensuing~~ fiscal year ~~of the county~~. The fiscal year of the  
143 sheriff shall ~~henceforth~~ commence on October 1 and end on  
144 September 30 of each year.

145 (2) (a) ~~The sheriff shall submit with the proposed budget~~

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146 ~~his or her sworn certificate, stating that the proposed~~  
147 ~~expenditures are reasonable and necessary for the proper and~~  
148 ~~efficient operation of the office for the ensuing year.~~ The  
149 proposed budget must ~~shall~~ show the estimated amounts of all  
150 proposed expenditures for operating and equipping the sheriff's  
151 office and jail, excluding the cost of construction, repair, or  
152 capital improvement of county buildings during the ~~such~~ fiscal  
153 year. The expenditures must ~~shall~~ be categorized at the  
154 appropriate fund level in accordance with the following  
155 functional categories:

- 156 1. General law enforcement.
- 157 2. Corrections and detention alternative facilities.
- 158 3. Court services, excluding service of process.

159 (b) The sheriff shall submit with the proposed budget a  
160 sworn certificate stating that the proposed expenditures are  
161 reasonable and necessary for the proper and efficient operation  
162 of the office for the next fiscal year.

163 (c) Within the appropriate fund and functional category,  
164 expenditures shall be itemized in accordance with the uniform  
165 accounting system ~~chart of accounts~~ prescribed by the Department  
166 of Financial Services, as follows:

- 167 1. Personnel ~~Personal~~ services.
- 168 2. Operating expenses.
- 169 3. Capital outlay.
- 170 4. Debt service.
- 171 5. Grants and aids ~~Nonoperating disbursements and~~  
172 ~~contingency reserves.~~
- 173 6. Other uses.

174 (d) ~~(e)~~ The sheriff shall submit to the board of county

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175 commissioners for consideration and inclusion in the county  
176 budget, as deemed appropriate by the county, requests for  
177 construction, repair, or capital improvement of county buildings  
178 operated or occupied by the sheriff.

179 (3) The sheriff shall furnish to the board of county  
180 commissioners or the budget commission, if there is a budget  
181 commission in the county, all relevant and pertinent information  
182 concerning expenditures made in previous fiscal years and ~~to the~~  
183 proposed expenditures which the ~~such~~ board or commission deems  
184 necessary, including expenditures at the subobject code level in  
185 accordance with the uniform accounting system prescribed by the  
186 Department of Financial Services. The board or commission may  
187 not amend, modify, increase, or reduce any expenditure at the  
188 subobject code level. ~~except that~~ The board or commission may  
189 not require confidential information concerning details of  
190 investigations. Confidential information concerning details of  
191 investigations is exempt from ~~the provisions of~~ s. 119.07(1).

192 (4) The board of county commissioners or the budget  
193 commission, as appropriate ~~the case may be~~, may require the  
194 sheriff to correct mathematical, mechanical, factual, and  
195 clerical errors and errors as to form in the proposed budget. At  
196 the hearings held pursuant to s. 200.065, the board or  
197 commission, ~~as the case may be~~, may amend, modify, increase, or  
198 reduce any or all items of expenditure in the proposed budget,  
199 as certified by the sheriff pursuant to paragraphs (2) (a)-(c),  
200 and shall approve such budget, as amended, modified, increased,  
201 or reduced. The board or commission ~~It~~ must give written notice  
202 of its action to the sheriff and specify in such notice the  
203 specific items amended, modified, increased, or reduced. The

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204 budget must ~~shall~~ include the salaries and expenses of the  
205 sheriff's office, cost of operation of the county jail,  
206 purchase, maintenance and operation of equipment, including  
207 patrol cars, radio systems, transporting prisoners, court  
208 duties, and all other salaries, expenses, equipment, and  
209 investigation expenditures of the entire sheriff's office for  
210 the previous year.

211 (a) The sheriff, within 30 days after receiving written  
212 notice of such action by the board or commission, ~~either~~ in  
213 person or in his or her office, may file an appeal by petition  
214 to the Administration Commission. ~~Such appeal shall be by~~  
215 ~~petition to the Administration commission.~~ The petition must  
216 ~~shall~~ set forth the budget proposed by the sheriff, in the form  
217 and manner prescribed by the Executive Office of the Governor  
218 and approved by the Administration Commission, and the budget as  
219 approved by the board of county commissioners or the budget  
220 commission, ~~as the case may be,~~ and shall contain the reasons or  
221 grounds for the appeal. Such petition shall be filed with the  
222 Executive Office of the Governor, and a copy of the petition  
223 shall be served upon the board or commission from the decision  
224 of which appeal is taken by delivering the same to the chair or  
225 president thereof or to the clerk of the circuit court.

226 (b) The board ~~of county commissioners~~ or the budget  
227 commission, ~~as the case may be,~~ shall have 5 days following from  
228 delivery of a copy of ~~any~~ such petition to file a reply with the  
229 Executive Office of the Governor ~~a reply thereto,~~ and ~~it~~ shall  
230 deliver a copy of such reply to the sheriff.

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



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233 112.63 Actuarial reports and statements of actuarial  
234 impact; review.—

235 (4) Upon receipt, pursuant to subsection (2), of an  
236 actuarial report, or ~~upon receipt~~, pursuant to subsection (3),  
237 of a statement of actuarial impact, the Department of Management  
238 Services shall acknowledge such receipt, but shall only review  
239 and comment on each retirement system's or plan's actuarial  
240 valuations at least on a triennial basis.

241 (a) If the department finds that the actuarial valuation is  
242 not complete, accurate, or based on reasonable assumptions or  
243 otherwise materially fails to satisfy the requirements of this  
244 part; ~~if the department~~ requires additional material  
245 information necessary to complete its review of the actuarial  
246 valuation of a system or plan or material information necessary  
247 to satisfy the duties of the department pursuant to s.

248 112.665(1); ~~or if the department~~ does not receive the actuarial  
249 report or statement of actuarial impact, the department shall  
250 notify the administrator of the affected retirement system or  
251 plan and the affected governmental entity and request  
252 appropriate adjustment, the additional material information, or  
253 the required report or statement. The notification must inform  
254 the administrator ~~of the affected retirement system or plan~~ and  
255 the affected governmental entity of the consequences for failing  
256 ~~failure~~ to comply with the requirements of this subsection.

257 (b) If, after a reasonable period of time, a satisfactory  
258 adjustment is not made or the report, statement, or additional  
259 material information is not provided, the department may notify  
260 the Department of Revenue and the Department of Financial  
261 Services of the ~~such~~ noncompliance, and ~~in which case~~ the

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262 Department of Revenue and the Department of Financial Services  
263 shall withhold any funds not pledged for satisfaction of bond  
264 debt service which are payable to the affected governmental  
265 entity until the adjustment is made or the report, statement, or  
266 additional material information is provided to the department.  
267 The Department of Management Services shall specify the date  
268 such action is to begin and notify, ~~and notification by the~~  
269 ~~department must be received by~~ the Department of Revenue, the  
270 Department of Financial Services, and the affected governmental  
271 entity 30 days before the specified date ~~the action begins~~.

272 (c) ~~(a)~~ Within 21 days after receipt of the notice, the  
273 affected governmental entity may petition the Department of  
274 Management Services for a hearing under ss. 120.569 and 120.57  
275 ~~with the Department of Management Services~~. The Department of  
276 Revenue and the Department of Financial Services may not be  
277 parties to the ~~any such~~ hearing, but may request to intervene if  
278 requested by the Department of Management Services or if the  
279 Department of Revenue or the Department of Financial Services  
280 determines its interests may be adversely affected by the  
281 hearing.

282 1. If the administrative law judge recommends in favor of  
283 the department, the department shall perform an actuarial  
284 review, prepare the statement of actuarial impact, or collect  
285 the requested material information. The cost to the department  
286 of performing the ~~such~~ actuarial review, preparing the  
287 statement, or collecting the requested material information  
288 shall be charged to the affected governmental entity whose ~~of~~  
289 ~~which the~~ employees are covered by the retirement system or  
290 plan. If payment ~~of such costs~~ is not received by the department

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291 within 60 days after ~~receipt by~~ the affected governmental entity  
292 receives ~~of~~ the request for payment, the department shall  
293 certify to the Department of Revenue and the Department of  
294 Financial Services the amount due, and the Department of Revenue  
295 and the Department of Financial Services shall pay such amount  
296 to the Department of Management Services from ~~any~~ funds not  
297 pledged for satisfaction of bond debt service which are payable  
298 to the affected governmental entity ~~of which the employees are~~  
299 ~~covered by the retirement system or plan.~~

300 2. If the administrative law judge recommends in favor of  
301 the affected governmental entity and the department performs an  
302 actuarial review, prepares the statement of actuarial impact, or  
303 collects the requested material information, the cost to the  
304 department ~~of performing the actuarial review, preparing the~~  
305 ~~statement, or collecting the requested material information~~  
306 shall be paid by the Department of Management Services.

307 (d) ~~(b)~~ In the case of an affected special district, the  
308 Department of Management Services shall also notify the  
309 Department of Community Affairs. Upon receipt of notification,  
310 the Department of Community Affairs shall proceed pursuant to  
311 ~~the provisions of s. 189.421 with regard to the special~~  
312 ~~district.~~

313 1. Failure of a special district to provide a required  
314 report or statement, to make appropriate adjustments, or to  
315 provide additional material information after the procedures  
316 specified in s. 189.421(1) are exhausted shall be deemed final  
317 action by the special district.

318 2. The Department of Management Services may notify the  
319 Department of Community Affairs of those special districts that

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320 failed to come into compliance. Upon receipt of notification,  
321 the Department of Community Affairs shall proceed pursuant to s.  
322 189.421(4).

323 Section 4. Section 129.01, Florida Statutes, is amended to  
324 read:

325 129.01 Budget system established. ~~There is hereby~~  
326 ~~established~~ A budget system for the control of the finances of  
327 the boards of county commissioners of the several counties of  
328 the state is established, as follows:

329 (1) A budget ~~There~~ shall be prepared, approved, adopted,  
330 and executed, ~~as prescribed in this chapter, for the fiscal year~~  
331 ~~ending September 30, 1952, and for each fiscal year.~~ At a  
332 minimum, the budget must show for each fund, as thereafter, an  
333 annual budget for such funds as may be required by law and or by  
334 sound financial practices, budgeted revenues and expenditures by  
335 organizational unit at a level of detail that is at least  
336 similar to the level of detail in the annual financial report  
337 required under s. 218.32(1) and generally accepted accounting  
338 principles. The budget shall control the levy of taxes and the  
339 expenditure of money for all county purposes during the ensuing  
340 fiscal year.

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

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

345 (b) The budget must ~~shall~~ be balanced, so that; that is,  
346 the total of the estimated receipts available from taxation and  
347 other sources, including balances brought forward from prior  
348 fiscal years, equals ~~shall equal~~ the total of ~~the~~ appropriations

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349 for expenditures and reserves. ~~It shall conform to the uniform~~  
350 ~~classification of accounts prescribed by the appropriate state~~  
351 ~~agency.~~ The budgeted receipts must ~~division of the budget shall~~  
352 include 95 percent of all receipts reasonably ~~to be~~ anticipated  
353 from all sources, including taxes to be levied, provided the  
354 percent anticipated from ad valorem levies is ~~shall be~~ as  
355 specified in s. 200.065(2) (a), and is 100 percent of the amount  
356 of the balances ~~of both cash and liquid securities~~ estimated to  
357 be brought forward at the beginning of the fiscal year. The  
358 appropriations must ~~appropriation division of the budget shall~~  
359 include itemized appropriations for all expenditures authorized  
360 by law, contemplated to be made, or incurred for the benefit of  
361 the county during the ~~said~~ year and the provision for ~~the~~  
362 reserves authorized by this chapter. Both the receipts and  
363 appropriations must ~~appropriation divisions shall~~ reflect the  
364 approximate division of expenditures between countywide  
365 expenditures and noncountywide expenditures and the division of  
366 county revenues derived from or on behalf of the county as a  
367 whole and county revenues derived from or on behalf of a  
368 municipal service taxing unit, special district included within  
369 the county budget, unincorporated area, service area, or program  
370 area, or otherwise not received for or on behalf of the county  
371 as a whole.

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

373 1. A reserve for contingencies may be provided which does  
374 ~~in a sum~~ not ~~to~~ exceed 10 percent of the total appropriations ~~of~~  
375 ~~the budget.~~

376 2. A reserve for cash balance to be carried over may be  
377 provided for the purpose of paying expenses from October 1 of

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378 the next ensuing fiscal year until ~~the time when~~ the revenues  
379 for that year are expected to be available. This reserve may ~~be~~  
380 not be more than 20 percent of the total appropriations.  
381 ~~However, receipts and balances of the budget; provided that~~ for  
382 the bond interest and sinking fund budget, this reserve may not  
383 exceed ~~be not more than~~ the total maturities of debt, ~~(both~~  
384 principal and interest), which ~~that~~ will occur during the next  
385 ~~ensuing~~ fiscal year, plus the sinking fund requirements,  
386 computed on a straight-line basis, for any outstanding  
387 obligations to be paid from the fund.

388 (d) An appropriation for "outstanding indebtedness" shall  
389 be made to provide for the payment of vouchers that ~~which~~ have  
390 been incurred in and charged against the budget for the current  
391 year or a prior year, but that ~~which~~ are expected to be unpaid  
392 at the beginning of the next fiscal ~~ensuing~~ year ~~for which the~~  
393 ~~budget is being prepared~~. The appropriation for the payment of  
394 such vouchers shall be to ~~made in~~ the same fund in which ~~for~~  
395 ~~which~~ the expenses were originally incurred.

396 (e) Any surplus arising from an excess of the estimated  
397 cash balance over the estimated amount of unpaid obligations to  
398 be carried over in a fund at the end of the current fiscal year  
399 may be transferred to any of the other funds of the county, and  
400 the amount so transferred shall be budgeted as a receipt to such  
401 other funds. However, a; ~~provided, that no such~~ surplus:

402 1. In a fund raised for debt service may not ~~shall~~ be  
403 transferred to another fund until, ~~except to a fund raised for~~  
404 ~~the same purposes in the same territory, unless the debt for~~  
405 which the fund was established ~~of such territory~~ has been  
406 extinguished., ~~in which case it may be transferred to any other~~

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407 ~~fund raised for that territory; provided, further, that no such~~  
408 ~~surplus~~

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

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

415 129.02 Requisites of budgets.—Each budget shall conform to  
416 the following specific directions and requirements:

417 (6) For each special district included within the county  
418 budget, the ~~operating fund~~ budget must show budgeted revenues  
419 and expenditures by organizational unit at a level of detail  
420 that is at least similar to the level of detail in the annual  
421 financial report required under s. 218.32(1). The amount  
422 available from taxation and other sources, including balances  
423 brought forward from prior fiscal years, must equal the total  
424 appropriations for expenditures and reserves. The budget must  
425 include ~~shall contain an estimate of receipts by source and~~  
426 ~~balances as provided herein, and an itemized estimate of~~  
427 expenditures necessary ~~that will need to be incurred to carry on~~  
428 ~~all functions and activities of the special district as now or~~  
429 ~~hereafter~~ provided by law, including and of the indebtedness of  
430 the special district and the provision for required reserves;  
431 ~~also of the reserves for contingencies and the balances, as~~  
432 ~~hereinbefore provided, which should be carried forward at the~~  
433 ~~end of the year.~~

434 Section 6. Section 129.021, Florida Statutes, is amended to  
435 read:

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436 129.021 County officer budget information.—Notwithstanding  
437 other provisions of law, the budgets of all county officers, as  
438 submitted to the board of county commissioners, must ~~shall~~ be in  
439 sufficient detail and contain such information as the board of  
440 county commissioners may require in furtherance of their powers  
441 and responsibilities provided in ss. 125.01(1)(q), ~~and (r)~~, and  
442 (v), and (6) and 129.01(2)(b).

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

445 129.03 Preparation and adoption of budget.—

446 (3) ~~No later than 15 days after certification of value by~~  
447 ~~the property appraiser pursuant to s. 200.065(1),~~ The county  
448 budget officer, after tentatively ascertaining the proposed  
449 fiscal policies of the board for the next ensuing fiscal year,  
450 shall prepare and present to the board a tentative budget for  
451 the next ensuing fiscal year for each of the funds provided in  
452 this chapter, including all estimated receipts, taxes to be  
453 levied, and balances expected to be brought forward and all  
454 estimated expenditures, reserves, and balances to be carried  
455 over at the end of the year.

456 (a) The board of county commissioners shall receive and  
457 examine the tentative budget for each fund and, subject to the  
458 notice and hearing requirements of s. 200.065, shall require  
459 such changes to be made as it deems ~~shall deem~~ necessary, +  
460 provided the budget remains ~~shall remain~~ in balance. The county  
461 budget officer's estimates of receipts other than taxes, and of  
462 balances to be brought forward, may ~~shall~~ not be revised except  
463 by a resolution of the board, duly passed and spread on the  
464 minutes of the board. However, the board may allocate to any of



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465 the funds of the county any anticipated receipts, other than  
466 taxes levied for a particular fund, except receipts designated  
467 or received to be expended for a particular purpose.

468 (b) Upon receipt of the tentative budgets and completion of  
469 any revisions ~~made by the board~~, the board shall prepare a  
470 statement summarizing all of the adopted tentative budgets. The  
471 ~~This~~ summary statement must ~~shall~~ show, for each budget and the  
472 total of all budgets, the proposed tax millages, ~~the~~ balances,  
473 ~~the~~ reserves, and the total of each major classification of  
474 receipts and expenditures, classified according to the uniform  
475 classification of accounts adopted ~~prescribed~~ by the appropriate  
476 state agency. The board shall cause this summary statement to be  
477 advertised one time in a newspaper of general circulation  
478 published in the county, or by posting at the courthouse door if  
479 there is no such newspaper, and the advertisement must ~~shall~~  
480 appear adjacent to the advertisement required pursuant to s.  
481 200.065.

482 (c) The board shall hold public hearings to adopt tentative  
483 and final budgets pursuant to s. 200.065. The hearings shall be  
484 primarily for the purpose of hearing requests and complaints  
485 from the public regarding the budgets and the proposed tax  
486 levies and for explaining the budget and any proposed or adopted  
487 amendments ~~thereto, if any~~. The tentative budget must be posted  
488 on the county's official website at least 2 days before the  
489 public hearing to consider such budget. The final budget must be  
490 posted on the website within 30 days after adoption. The  
491 tentative budgets, adopted tentative budgets, and final budgets  
492 shall be filed in the office of the county auditor as a public  
493 record. Sufficient reference in words and figures to identify

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494 the particular transactions shall be made in the minutes of the  
495 board to record its actions with reference to the budgets.

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

499 129.06 Execution and amendment of budget.—

500 (1) Upon the final adoption of the budgets as provided in  
501 this chapter, the budgets so adopted must ~~shall~~ regulate ~~the~~  
502 expenditures of the county and each special district included  
503 within the county budget, and the itemized estimates of  
504 expenditures must ~~shall~~ have the effect of fixed appropriations  
505 and may ~~shall~~ not be amended, altered, or exceeded except as  
506 provided in this chapter.

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

510 (b) The cost of the investments provided in this chapter,  
511 or the receipts from their sale or redemption, may ~~must~~ not be  
512 treated as expense or income, and ~~but~~ the investments on hand at  
513 the beginning or end of each fiscal year must be carried as  
514 separate items at cost in the fund balances; however, the  
515 amounts of profit or loss received on their sale must be treated  
516 as income or expense, as applicable ~~the case may be~~.

517 (2) The board at any time within a fiscal year may amend a  
518 budget for that year, and may within the first 60 days of a  
519 fiscal year amend the budget for the prior fiscal year, as  
520 follows:

521 (a) Appropriations for expenditures within ~~in~~ any fund may  
522 be decreased or ~~and other appropriations in the same fund~~

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523 ~~correspondingly~~ increased by motion recorded in the minutes,  
524 provided that the total ~~of the~~ appropriations of the fund does  
525 not change ~~may not be changed~~. The board of county  
526 commissioners, ~~however,~~ may establish procedures by which the  
527 designated budget officer may authorize ~~certain~~  
528 ~~intradepartmental~~ budget amendments, provided that the total  
529 appropriations ~~appropriation~~ of the fund does not change  
530 ~~department may not be changed~~.

531 (f) Unless otherwise prohibited by law, if an amendment to  
532 a budget is required for a purpose not specifically authorized  
533 in paragraphs (a)-(e), ~~unless otherwise prohibited by law,~~ the  
534 amendment may be authorized by resolution or ordinance of the  
535 board of county commissioners adopted following a public  
536 hearing.

537 1. The public hearing must be advertised at least 2 days,  
538 but not more than 5 days, before the date of the hearing. The  
539 advertisement must appear in a newspaper of paid general  
540 circulation and must identify the name of the taxing authority,  
541 the date, place, and time of the hearing, and the purpose of the  
542 hearing. The advertisement must also identify each budgetary  
543 fund to be amended, the source of the funds, the use of the  
544 funds, and the total amount of each fund's appropriations  
545 ~~budget~~.

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

549 Section 9. Section 129.07, Florida Statutes, is amended to  
550 read:

551 129.07 Unlawful to exceed the budget; ~~certain contracts~~

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552 ~~void; commissioners contracting excess indebtedness personally~~  
 553 ~~liable. It is unlawful for~~ The board of county commissioners may  
 554 ~~not to~~ expend or enter into a contract requiring expenditures  
 555 ~~for the expenditure~~ in any fiscal year for more than the amount  
 556 of appropriations budgeted in each fund's budget, except as  
 557 provided herein, and ~~in no case shall~~ the total appropriations  
 558 of any budget may not be exceeded, except as provided in s.  
 559 129.06., ~~and~~ Any indebtedness contracted for any purpose against  
 560 either of the funds enumerated in this chapter or for any  
 561 purpose, ~~the expenditure for~~ which is chargeable to either of  
 562 the said funds, is ~~shall be~~ null and void, and no suit may ~~or~~  
 563 ~~suits shall~~ be prosecuted in any court in this state for the  
 564 collection of such indebtedness. ~~same, and~~ The members of the  
 565 board of county commissioners voting ~~for~~ and contracting for  
 566 such indebtedness amounts and the bonds of such members of said  
 567 ~~boards also~~ shall be liable for any ~~the~~ excess indebtedness ~~so~~  
 568 contracted for.

569 Section 10. Section 129.201, Florida Statutes, is amended  
 570 to read:

571 129.201 Budget of supervisor of elections; manner and time  
 572 of preparation and presentation.-

573 (1) Pursuant to ss. 129.01 and s. 129.03(2), each  
 574 supervisor of elections shall annually prepare and submit  
 575 ~~certify~~ to the board of county commissioners, or county budget  
 576 commission if there is one in the county, a proposed budget for  
 577 carrying out the powers, duties, and operations of income and  
 578 ~~expenditures to fulfill the duties, responsibilities, and~~  
 579 ~~operation~~ of the office of the supervisor of elections for the  
 580 next ensuing fiscal year ~~of the county~~. The fiscal year of the

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581 supervisor of elections commences ~~shall commence~~ on October 1 of  
582 each year and ends ~~shall end~~ on September 30 of the following  
583 year.

584 (2) ~~(a)~~ Expenditures must be itemized in accordance with the  
585 uniform accounting system prescribed by the Department of  
586 Financial Services ~~Each expenditure item in the budget for the~~  
587 ~~supervisor of elections shall be itemized generally as follows:~~

588 (a)1. Personnel services. ~~Compensation for the supervisor~~  
589 ~~of elections and all other personnel of the office.~~

590 (b)2. Operating expenses.

591 (c)3. Capital outlay.

592 (d) Debt service.

593 (e)4. Grants and aids. ~~Contingencies and transfers.~~

594 (f) Other uses.

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

599 (3) The supervisor of elections shall furnish to the board  
600 of county commissioners or the county budget commission all  
601 relevant and pertinent information that the ~~which such~~ board or  
602 commission deems ~~shall deem~~ necessary, including expenditures at  
603 the subobject code level in accordance with the uniform  
604 accounting system prescribed by the Department of Financial  
605 Services. ~~The board or commission may not amend, modify,~~  
606 increase, or reduce any expenditure at the subobject code level.

607 (4) The board or commission, as appropriate ~~the case may~~  
608 ~~be~~, may require the supervisor of elections to correct  
609 mathematical, mechanical, factual, and clerical errors and

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610 errors of form in the proposed budget. At the hearings held  
611 pursuant to s. 200.065, the board or commission may amend,  
612 modify, increase, or reduce any or all items of expenditure in  
613 the proposed budget as submitted under subsections (1) and (2);  
614 and, as amended, modified, increased, or reduced, such budget  
615 shall be approved by the board or commission, which must provide  
616 ~~giving~~ written notice of its action to specific items amended,  
617 modified, increased, or reduced.

618 (5) The board or commission shall include in the county  
619 budget the items of proposed expenditures ~~as~~ set forth in the  
620 budget which are required by this section to be submitted, after  
621 the budget has been reviewed and approved. The board or  
622 commission shall include the supervisor of elections' reserve  
623 for contingencies ~~provided herein~~ in the general county budget's  
624 reserve for contingencies account ~~in the general county budget.~~

625 (6) The supervisor of elections' reserve for contingencies  
626 ~~is in the budget of a supervisor of elections shall be~~ governed  
627 by the same provisions governing the amount and use of the  
628 reserve for contingencies appropriated in the county budget.

629 (7) The proposed budget shall be submitted to the board of  
630 county commissioners or county budget commission pursuant to s.  
631 129.03(2), ~~and the budget shall be~~ included by the board or  
632 commission in the general county budget.

633 (8) The items placed in the budget of the board are  
634 ~~pursuant to this act shall be~~ subject to the same provisions of  
635 law as the county annual budget; however, an ~~no~~ amendment ~~may be~~  
636 ~~made~~ to the appropriations of the office of the supervisor of  
637 elections may not be made without due notice of the change to  
638 the supervisor of elections.

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639 (9) The budget of the supervisor of elections may be  
640 increased by the board of county commissioners to cover such  
641 expenses for emergencies and unanticipated expenses as are  
642 recommended and justified by the supervisor of elections.

643 Section 11. Section 166.241, Florida Statutes, is amended  
644 to read:

645 166.241 Fiscal years, ~~appropriations,~~ budgets, and budget  
646 amendments.—

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

650 (2) The governing body of each municipality shall adopt a  
651 budget each fiscal year. The budget must be adopted by ordinance  
652 or resolution unless otherwise specified in the respective  
653 municipality's charter. The amount available from taxation and  
654 other sources, including balances brought forward ~~amounts~~  
655 ~~carried over~~ from prior fiscal years, must equal the total  
656 appropriations for expenditures and reserves. At a minimum, the  
657 adopted budget must show for each fund, as required by law and  
658 sound financial practices, budgeted revenues and expenditures by  
659 organizational unit at a level of detail at least similar to the  
660 level of detail in the annual financial report required under s.  
661 218.32(1). The adopted budget must regulate expenditures of the  
662 municipality, and an ~~it is unlawful for any~~ officer of a  
663 municipal government may not ~~to~~ expend or contract for  
664 expenditures in any fiscal year except pursuant to the adopted  
665 budget ~~in pursuance of budgeted appropriations.~~

666 (3) The tentative budget must be posted on the  
667 municipality's official website at least 2 days before the

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668 budget hearing, held pursuant to s. 200.065 or other law, to  
669 consider such budget. The final adopted budget must be posted on  
670 the municipality's official website within 30 days after  
671 adoption. If the municipality does not operate an official  
672 website, the municipality must, within a reasonable period of  
673 time as established by the county or counties in which the  
674 municipality is located, transmit the tentative budget and final  
675 budget to the manager or administrator of such counties who  
676 shall post the budgets on the county's website.

677 (4)-(3) The governing body of each municipality at any time  
678 within a fiscal year or within up to 60 days following the end  
679 of the fiscal year may amend a budget for that year as follows:

680 (a) Appropriations for expenditures within a fund may be  
681 decreased or increased by motion recorded in the minutes if,  
682 ~~provided that~~ the total ~~of the~~ appropriations of the fund is not  
683 changed.

684 (b) The governing body may establish procedures by which  
685 the designated budget officer may authorize ~~certain~~ budget  
686 amendments if ~~within a department, provided that~~ the total ~~of~~  
687 ~~the~~ appropriations of the fund ~~department~~ is not changed.

688 (c) If a budget amendment is required for a purpose not  
689 specifically authorized in paragraph (a) or paragraph (b), the  
690 budget amendment must be adopted in the same manner as the  
691 original budget unless otherwise specified in the municipality's  
692 ~~charter of the respective municipality.~~

693 (5) If the governing body of a municipality amends the  
694 budget pursuant to paragraph (4) (c), the adopted amendment must  
695 be posted on the official website of the municipality within 5  
696 days after adoption. If the municipality does not operate an



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697 official website, the municipality must, within a reasonable  
698 period of time as established by the county or counties in which  
699 the municipality is located, transmit the adopted amendment to  
700 the manager or administrator of such county or counties who  
701 shall post the adopted amendment on the county's website.

702 Section 12. Paragraph (a) of subsection (1) of section  
703 189.4044, Florida Statutes, is amended to read:

704 189.4044 Special procedures for inactive districts.—

705 (1) The department shall declare inactive any special  
706 district in this state by documenting that:

707 (a) The special district meets one of the following  
708 criteria:

709 1. The registered agent of the district, the chair of the  
710 governing body of the district, or the governing body of the  
711 appropriate local general-purpose government notifies the  
712 department in writing that the district has taken no action for  
713 2 or more years;

714 2. Following an inquiry from the department, the registered  
715 agent of the district, the chair of the governing body of the  
716 district, or the governing body of the appropriate local  
717 general-purpose government notifies the department in writing  
718 that the district has not had a governing board or a sufficient  
719 number of governing board members to constitute a quorum for 2  
720 or more years or the registered agent of the district, the chair  
721 of the governing body of the district, or the governing body of  
722 the appropriate local general-purpose government fails to  
723 respond to the department's inquiry within 21 days; ~~or~~

724 3. The department determines, pursuant to s. 189.421, that  
725 the district has failed to file any of the reports listed in s.

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726 189.419; ~~or-~~

727 4. The district has not had a registered office and agent  
728 on file with the department for 1 or more years.

729 Section 13. Subsection (1) of section 189.412, Florida  
730 Statutes, is amended to read:

731 189.412 Special District Information Program; duties and  
732 responsibilities.—The Special District Information Program of  
733 the Department of Community Affairs is created and has the  
734 following special duties:

735 (1) The collection and maintenance of special district  
736 noncompliance status reports from the Department of Management  
737 Services, the Department of Financial Services, the Division of  
738 Bond Finance of the State Board of Administration, ~~and the~~  
739 Auditor General, and the Legislative Auditing Committee, for the  
740 reporting required in ss. 112.63, 218.32, 218.38, and 218.39.  
741 The noncompliance reports must list those special districts that  
742 did not comply with the statutory reporting requirements.

743 Section 14. Subsections (3) through (7) of section 189.418,  
744 Florida Statutes, are amended to read:

745 189.418 Reports; budgets; audits.—

746 (3) The governing body of each special district shall adopt  
747 a budget by resolution each fiscal year. The total amount  
748 available from taxation and other sources, including balances  
749 brought forward ~~amounts carried over~~ from prior fiscal years,  
750 must equal the total of appropriations for expenditures and  
751 reserves. At a minimum, the adopted budget must show for each  
752 fund, as required by law and sound financial practices, budgeted  
753 revenues and expenditures by organizational unit at a level of  
754 detail that is at least similar to the level of detail in the

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755 annual financial report required under s. 218.32(1). The adopted  
756 budget must regulate expenditures of the special district, and  
757 an ~~it is unlawful for any~~ officer of a special district may not  
758 ~~to~~ expend or contract for expenditures in any fiscal year except  
759 pursuant to the adopted budget ~~in pursuance of budgeted~~  
760 appropriations.

761 (4) The tentative budget must be posted on the special  
762 district's official website at least 2 days before the budget  
763 hearing, held pursuant to s. 200.065 or other law, to consider  
764 such budget. The final adopted budget must be posted on the  
765 special district's official website within 30 days after  
766 adoption. If the special district does not operate an official  
767 website, the special district must, within a reasonable period  
768 of time as established by the local general-purpose government  
769 or governments in which the special district is located or the  
770 local governing authority to which the district is dependent,  
771 transmit the tentative budget or final budget to the manager or  
772 administrator of the local general-purpose government or the  
773 local governing authority. The manager or administrator shall  
774 post the tentative budget or final budget on the website of the  
775 local general-purpose government or governing authority. This  
776 subsection and subsection (3) do not apply to water management  
777 districts as defined in s. 373.019.

778 (5)~~(4)~~ The proposed budget of a dependent special district  
779 must ~~shall~~ be ~~presented in accordance with generally accepted~~  
780 ~~accounting principles,~~ contained within the general budget of  
781 the local governing authority to which it is dependent, and be  
782 clearly stated as the budget of the dependent district. However,  
783 with the concurrence of the local governing authority, a

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784 dependent district may be budgeted separately. The dependent  
785 district must provide any budget information requested by the  
786 local governing authority at the time and place designated by  
787 the local governing authority.

788 (6) ~~(5)~~ The governing body of each special district at any  
789 time within a fiscal year or within up to 60 days following the  
790 end of the fiscal year may amend a budget for that year as  
791 follows:-

792 (a) Appropriations for expenditures within a fund may be  
793 decreased or increased by motion recorded in the minutes if the  
794 total appropriations of the fund do not change.

795 (b) The governing body may establish procedures by which  
796 the designated budget officer may authorize certain budget  
797 amendments if the total appropriations of the fund is not  
798 changed.

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

802 (7) If the governing body of a special district amends the  
803 budget pursuant to paragraph (6) (c), the adopted amendment must  
804 be posted on the official website of the special district within  
805 5 days after adoption. If the special district does not operate  
806 an official website, the special district must, within a  
807 reasonable period of time as established by the local general-  
808 purpose government or governments in which the special district  
809 is located or the local governing authority to which the  
810 district is dependent, transmit the adopted amendment to the  
811 manager or administrator of the local general-purpose government  
812 or governing authority. The manager or administrator shall post

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813 the adopted amendment on the website of the local general-  
814 purpose government or governing authority.

815 (8)(6) A local general-purpose government governing  
816 authority may, in its discretion, review the budget or tax levy  
817 of any special district located solely within its boundaries.

818 (9) All special districts must comply with the financial  
819 reporting requirements of ss. 218.32 and 218.39. A local  
820 general-purpose government or governing authority may request,  
821 from any special district located solely within its boundaries,  
822 financial information in order to comply with its reporting  
823 requirements under ss. 218.32 and 218.39. The special district  
824 must cooperate with such request and provide the financial  
825 information at the time and place designated by the local  
826 general-purpose government or governing authority.

827 (10)(7) All reports or information required to be filed  
828 with a local general-purpose government or governing authority  
829 under ss. 189.415, 189.416, and 189.417 and subsection (8) this  
830 section shall:

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

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

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

839 Section 15. Section 189.419, Florida Statutes, is amended  
840 to read:

841 189.419 Effect of failure to file certain reports or

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842 information.-

843 (1) If an independent ~~a~~ special district fails to file the  
844 reports or information required under s. 189.415, s. 189.416, ~~or~~  
845 s. 189.417, or s. 189.418(9) with the local general-purpose  
846 government or governments in which it is located governing  
847 authority, the person authorized to receive and read the reports  
848 or information or the local general-purpose government shall  
849 notify the district's registered agent ~~and the appropriate local~~  
850 ~~governing authority or authorities~~. If requested by the  
851 district, the local general-purpose government governing  
852 authority shall grant an extension of ~~time of~~ up to 30 days for  
853 filing the required reports or information.

854 ~~(2)~~ If the governing body of ~~at any time~~ the local general-  
855 purpose government or governments governing authority or  
856 ~~authorities or the board of county commissioners~~ determines that  
857 there has been an unjustified failure to file these ~~the~~ reports  
858 or information ~~described in subsection (1)~~, it may notify the  
859 department, and the department may proceed pursuant to s.  
860 189.421(1).

861 (2) If a dependent special district fails to file the  
862 reports or information required under s. 189.416, s. 189.417, or  
863 s. 189.418(9) with the local governing authority to which it is  
864 dependent, the local governing authority shall take whatever  
865 steps it deems necessary to enforce the special district's  
866 accountability. Such steps may include, as authorized,  
867 withholding funds, removing governing board members at will,  
868 vetoing the special district's budget, conducting the oversight  
869 review process set forth in s. 189.428, or amending, merging, or  
870 dissolving the special district in accordance with the

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871 provisions contained in the ordinance that created the dependent  
872 special district.

873 (3) If a special district fails to file the reports or  
874 information required under ~~s. 112.63, s. 218.32, s. 218.38, or~~  
875 ~~s. 218.39~~ with the appropriate state agency, the agency shall  
876 notify the department, and the department shall send a certified  
877 technical assistance letter to the special district which  
878 summarizes the requirements and encourages the special district  
879 to take steps to prevent the noncompliance from reoccurring  
880 proceed pursuant to s. 189.421.

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

885 (5) If a special district fails to file the reports or  
886 information required under s. 218.32 or s. 218.39 with the  
887 appropriate state agency or office, the state agency or office  
888 shall, and the Legislative Auditing Committee may, notify the  
889 department and the department shall proceed pursuant to s.  
890 189.421.

891 Section 16. Section 189.421, Florida Statutes, is amended  
892 to read:

893 189.421 Failure of district to disclose financial reports.—

894 (1) (a) If ~~When~~ notified pursuant to s. 189.419(1), (4), or  
895 (5) 189.419, the department shall attempt to assist a special  
896 district in complying to ~~comply~~ with its financial reporting  
897 requirements by sending a certified letter to the special  
898 district, and, if the special district is dependent, sending a  
899 copy of that ~~the~~ letter to the chair of the ~~governing body of~~

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900 ~~the local governing authority. The letter must include general-~~  
901 ~~purpose government, which includes the following:~~ a description  
902 of the required report, including statutory submission  
903 deadlines, a contact telephone number for technical assistance  
904 to help the special district comply, a 60-day deadline extension  
905 ~~of time~~ for filing the required report with the appropriate  
906 entity, the address where the report must be filed, and an  
907 explanation of the penalties for noncompliance.

908 (b) A special district that is unable to meet the 60-day  
909 reporting deadline must provide written notice to the department  
910 before the expiration of the deadline stating the reason the  
911 special district is unable to comply with the deadline, the  
912 steps the special district is taking to prevent the  
913 noncompliance from reoccurring, and the estimated date that the  
914 special district will file the report with the appropriate  
915 agency. The district's written response does not constitute an  
916 extension by the department; however, the department shall  
917 forward the written response as follows:

918 1. If the written response refers to the reports required  
919 under s. 218.32 or s. 218.39, forward the written response to  
920 the Legislative Auditing Committee for its consideration in  
921 determining whether the special district should be subject to  
922 further state action in accordance with s. 11.40(5)(b).

923 2. If the written response refers to the reports or  
924 information requirements listed in s. 189.419(1), forward the  
925 written response to the local general-purpose government or  
926 governments for its consideration in determining whether the  
927 oversight review process set forth in s. 189.428 should be  
928 undertaken.



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929 3. If the written response refers to the reports or  
930 information required under s. 112.63, forward the written  
931 response to the Department of Management Services for its  
932 consideration in determining whether the special district should  
933 be subject to further state action in accordance with s.  
934 112.63(4)(d)2. ~~The department may grant an additional 30-day~~  
935 ~~extension of time if requested to do so in writing by the~~  
936 ~~special district. The department shall notify the appropriate~~  
937 ~~entity of the new extension of time. In the case of a special~~  
938 ~~district that did not timely file the reports or information~~  
939 ~~required by s. 218.38, the department shall send a certified~~  
940 ~~technical assistance letter to the special district which~~  
941 ~~summarizes the requirements and encourages the special district~~  
942 ~~to take steps to prevent the noncompliance from reoccurring.~~

943 (2) Failure of a special district to comply with the  
944 actuarial and financial reporting requirements under s. 112.63,  
945 s. 218.32, or s. 218.39 after the procedures of subsection (1)  
946 are exhausted shall be deemed final action of the special  
947 district. The actuarial and financial reporting requirements are  
948 declared to be essential requirements of law. Remedy for  
949 noncompliance shall be by writ of certiorari as set forth in  
950 subsection (4) ~~(3)~~.

951 (3) Pursuant to s. 11.40(5)(b), the Legislative Auditing  
952 Committee shall notify the department of those districts that  
953 fail ~~failed~~ to file the required reports ~~report~~. If the  
954 procedures described in subsection (1) have not yet been  
955 initiated, the department shall initiate such procedures upon  
956 receiving the notice from the Legislative Auditing Committee.  
957 Otherwise, within 60 ~~30~~ days after receiving such ~~this~~ notice,

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958 or within 60 ~~30~~ days after the expiration of the 60-day deadline  
959 ~~extension date~~ provided in subsection (1), whichever occurs  
960 later, the department, ~~shall proceed as follows:~~ notwithstanding  
961 the provisions of chapter 120, ~~the department~~ shall file a  
962 petition for writ of certiorari with the circuit court. Venue  
963 for all actions pursuant to this subsection is ~~shall be~~ in Leon  
964 County. The court shall award the prevailing party attorney's  
965 fees and costs in all cases filed pursuant to this section  
966 unless affirmatively waived by all parties. A writ of certiorari  
967 shall be issued unless a respondent establishes that the  
968 notification of the Legislative Auditing Committee was issued as  
969 a result of material error. Proceedings under this subsection  
970 shall otherwise be governed by the Rules of Appellate Procedure.

971 (4) Pursuant to s. 112.63(4)(d)2., the Department of  
972 Management Services may notify the department of those special  
973 districts that have failed to file the required adjustments,  
974 additional information, or report or statement after the  
975 procedures of subsection (1) have been exhausted. Within 60 days  
976 after receiving such notice or within 60 days after the 60-day  
977 deadline provided in subsection (1), whichever occurs later, the  
978 department, notwithstanding chapter 120, shall file a petition  
979 for writ of certiorari with the circuit court. Venue for all  
980 actions pursuant to this subsection is in Leon County. The court  
981 shall award the prevailing party attorney's fees and costs in  
982 all cases filed pursuant to this section unless affirmatively  
983 waived by all parties. A writ of certiorari shall be issued  
984 unless a respondent establishes that the notification of the  
985 Department of Management Services was issued as a result of  
986 material error. Proceedings under this subsection are otherwise

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987 governed by the Rules of Appellate Procedure.

988 Section 17. Subsection (6) is added to section 195.087,  
989 Florida Statutes, to read:

990 195.087 Property appraisers and tax collectors to submit  
991 budgets to Department of Revenue.—

992 (6) Each property appraiser and tax collector must post  
993 their final approved budget on their official website within 30  
994 days after adoption. Each county's official website must have a  
995 link to the websites of the property appraiser or tax collector  
996 where the final approved budget is posted. If the property  
997 appraiser or tax collector does not have an official website,  
998 the final approved budget must be posted on the county's  
999 official website.

1000 Section 18. Paragraphs (d), (e), and (f) of subsection (1)  
1001 of section 218.32, Florida Statutes, are amended, and paragraph  
1002 (g) is added to that subsection, to read:

1003 218.32 Annual financial reports; local governmental  
1004 entities.—

1005 (1)

1006 (d) Each local governmental entity that is required to  
1007 provide for an audit under ~~in accordance with~~ s. 218.39(1) must  
1008 submit ~~the annual financial report with the audit report.~~ a copy  
1009 of the audit report and annual financial report ~~must be~~  
1010 ~~submitted~~ to the department within 45 days after the completion  
1011 of the audit report but no later than 9 ~~12~~ months after the end  
1012 of the fiscal year.

1013 (e) Each local governmental entity that is not required to  
1014 provide for an audit under ~~report in accordance with~~ s. 218.39  
1015 must submit the annual financial report to the department no

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1016 later than 9 months after the end of the fiscal ~~April 30~~ of each  
1017 year. The department shall consult with the Auditor General in  
1018 the development of the format of annual financial reports  
1019 submitted pursuant to this paragraph. The format must ~~shall~~  
1020 include balance sheet information used ~~to be utilized~~ by the  
1021 Auditor General pursuant to s. 11.45(7)(f). The department must  
1022 forward the financial information contained within the ~~these~~  
1023 ~~entities'~~ annual financial reports to the Auditor General in  
1024 electronic form. This paragraph does not apply to housing  
1025 authorities created under chapter 421.

1026 (f) If the department does not receive a completed annual  
1027 financial report from a local governmental entity within the  
1028 required period, it shall notify the Legislative Auditing  
1029 Committee and the Special District Information Program of the  
1030 Department of Community Affairs of the ~~local governmental~~  
1031 entity's failure to comply with the reporting requirements. The  
1032 committee shall proceed in accordance with s. 11.40(5).

1033 (g) Each local governmental entity's website must provide a  
1034 link to the department's website to view the entity's annual  
1035 financial report submitted to the department pursuant to this  
1036 section. If the local governmental entity does not have an  
1037 official website, the county government's website must provide  
1038 the required link for the local governmental entity.

1039 Section 19. Section 218.35, Florida Statutes, is amended to  
1040 read:

1041 218.35 County fee officers; financial matters.—

1042 (1) Each county fee officer shall establish an annual  
1043 budget for carrying out the powers, duties, and operations of  
1044 his or her office for the next county fiscal year ~~which shall~~

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1045 ~~clearly reflect the revenues available to said office and the~~  
1046 ~~functions for which money is to be expended. The budget must~~  
1047 ~~shall be balanced so that; ~~that is,~~ the total of estimated~~  
1048 ~~receipts, including balances brought forward, equals ~~shall equal~~~~  
1049 ~~the total of estimated expenditures and reserves. The budgeting~~  
1050 ~~of segregated funds must ~~shall~~ be made in a such manner that~~  
1051 ~~retains the relation between program and revenue source, as~~  
1052 ~~provided by law is retained.~~

1053 (2) The clerk of the circuit court, functioning in his or  
1054 her capacity as clerk of the circuit and county courts and as  
1055 clerk of the board of county commissioners, shall prepare his or  
1056 her budget in two parts:

1057 (a) The budget for funds necessary to perform court-related  
1058 functions as provided ~~for~~ in s. 28.36, ~~which shall detail the~~  
1059 ~~methodologies used to apportion costs between court-related and~~  
1060 ~~non-court-related functions performed by the clerk.~~

1061 (b) The budget relating to the requirements of the clerk as  
1062 clerk of the board of county commissioners, county auditor, and  
1063 custodian or treasurer of all county funds and other county-  
1064 related duties, which shall be annually prepared and submitted  
1065 to the board of county commissioners pursuant to s. 129.03(2),  
1066 for each fiscal year. Expenditures shall be itemized in  
1067 accordance with the uniform accounting system prescribed by the  
1068 Department of Financial Services as follows:

- 1069 1. Personnel services.
- 1070 2. Operating expenses.
- 1071 3. Capital outlay.
- 1072 4. Debt service.
- 1073 5. Grants and aids.

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1074 6. Other uses.

1075 (3) The clerk of the circuit court shall furnish to the  
1076 board of county commissioners or the county budget commission  
1077 all relevant and pertinent information that the board or  
1078 commission deems necessary, including expenditures at the  
1079 subobject code level in accordance with the uniform accounting  
1080 system prescribed by the Department of Financial Services.

1081 (4) The final approved budget of the clerk of the circuit  
1082 court must be posted on the county's official website within 30  
1083 days after adoption. The final approved budget of the clerk of  
1084 the circuit court may be included in the county's budget.

1085 (5)~~(3)~~ Each county fee officer shall establish ~~make~~  
1086 ~~provision for establishing~~ a fiscal year beginning October 1 and  
1087 ending September 30 of the following year, and shall report his  
1088 or her finances annually upon the close of each fiscal year to  
1089 the county fiscal officer for inclusion in the annual financial  
1090 report by the county.

1091 (6)~~(4)~~ The proposed budget of a county fee officer shall be  
1092 filed with the clerk of the county governing authority by  
1093 September 1 preceding the fiscal year for the budget, except for  
1094 the budget prepared by the clerk of the circuit court for court-  
1095 related functions as provided in s. 28.36.

1096 Section 20. Section 218.39, Florida Statutes, is amended to  
1097 read:

1098 218.39 Annual financial audit reports.—

1099 (1) If, by the first day in any fiscal year, a local  
1100 governmental entity, district school board, charter school, or  
1101 charter technical career center has not been notified that a  
1102 financial audit for that fiscal year will be performed by the

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1103 Auditor General, each of the following entities shall have an  
1104 annual financial audit of its accounts and records completed  
1105 within 9 ~~12~~ months after the end of its fiscal year by an  
1106 independent certified public accountant retained by it and paid  
1107 from its public funds:

1108 (a) Each county.

1109 (b) Any municipality with revenues or the total of  
1110 expenditures and expenses in excess of \$250,000.

1111 (c) Any special district with revenues or the total of  
1112 expenditures and expenses in excess of \$100,000.

1113 (d) Each district school board.

1114 (e) Each charter school established under s. 1002.33.

1115 (f) Each charter technical center established under s.  
1116 1002.34.

1117 (g) Each municipality with revenues or the total of  
1118 expenditures and expenses between \$100,000 and \$250,000 that has  
1119 not been subject to a financial audit pursuant to this  
1120 subsection for the 2 preceding fiscal years.

1121 (h) Each special district with revenues or the total of  
1122 expenditures and expenses between \$50,000 and \$100,000 that has  
1123 not been subject to a financial audit pursuant to this  
1124 subsection for the 2 preceding fiscal years.

1125 (2) The county audit report must ~~shall~~ be a single document  
1126 that includes a financial audit of the county as a whole and,  
1127 for each county agency other than a board of county  
1128 commissioners, an audit of its financial accounts and records,  
1129 including reports on compliance and internal control, management  
1130 letters, and financial statements as required by rules adopted  
1131 by the Auditor General. In addition ~~to such requirements~~, if a

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1132 board of county commissioners elects to have a separate audit of  
1133 its financial accounts and records in the manner required by  
1134 rules adopted by the Auditor General for other county agencies,  
1135 the ~~such~~ separate audit must ~~shall~~ be included in the county  
1136 audit report.

1137 (3) (a) A dependent special district may provide ~~make~~  
1138 ~~provision~~ for an annual financial audit by being included in  
1139 ~~within~~ the audit of the ~~another~~ local governmental entity upon  
1140 which it is dependent. An independent special district may not  
1141 make provision for an annual financial audit by being included  
1142 in ~~within~~ the audit of another local governmental entity.

1143 (b) A special district that is a component unit, as defined  
1144 by generally accepted accounting principles, of a local  
1145 governmental entity shall provide the local governmental entity,  
1146 within a reasonable time period as established by the local  
1147 governmental entity, with financial information necessary to  
1148 comply with this section. The failure of a component unit to  
1149 provide this financial information must be noted in the annual  
1150 financial audit report of the local governmental entity.

1151 (4) A management letter shall be prepared and included as a  
1152 part of each financial audit report.

1153 (5) At the conclusion of the audit, the auditor shall  
1154 discuss with the chair of the governing body of the ~~each~~ local  
1155 governmental entity or the chair's designee, ~~or with~~ the elected  
1156 official of each county agency or ~~with~~ the elected official's  
1157 designee, ~~or with~~ the chair of the district school board or the  
1158 chair's designee, ~~or with~~ the chair of the board of the charter  
1159 school or the chair's designee, or ~~with~~ the chair of the board  
1160 of the charter technical career center or the chair's designee,



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1161 as appropriate, all of the auditor's comments that will be  
1162 included in the audit report. If the officer is not available to  
1163 discuss the auditor's comments, their discussion is presumed  
1164 when the comments are delivered in writing to his or her office.  
1165 The auditor shall notify each member of the governing body of a  
1166 local governmental entity, district school board, charter  
1167 school, or charter technical career center for which  
1168 deteriorating financial conditions exist that may cause a  
1169 condition described in s. 218.503(1) to occur if actions are not  
1170 taken to address such conditions.

1171 (6) The officer's written statement of explanation or  
1172 rebuttal concerning the auditor's findings, including corrective  
1173 action to be taken, must be filed with the governing body of the  
1174 local governmental entity, district school board, charter  
1175 school, or charter technical career center within 30 days after  
1176 the delivery of the auditor's findings.

1177 (7) All audits conducted pursuant to this section must be  
1178 conducted in accordance with the rules of the Auditor General  
1179 adopted pursuant to s. 11.45. Upon completion of the audit, the  
1180 auditor shall prepare an audit report in accordance with the  
1181 rules of the Auditor General. The audit report shall be filed  
1182 with the Auditor General within 45 days after delivery of the  
1183 audit report to the governing body of the audited entity, but no  
1184 later than 9 months after the end of the audited entity's fiscal  
1185 year. The audit report must include a written statement  
1186 describing corrective actions to be taken in response to each of  
1187 the auditor's recommendations included in the audit report.

1188 (8) The Auditor General shall notify the Legislative  
1189 Auditing Committee of any audit report prepared pursuant to this

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1190 section which indicates that an audited entity has failed to  
1191 take full corrective action in response to a recommendation that  
1192 was included in the two preceding financial audit reports. The  
1193 committee may direct the governing body of the audited entity to  
1194 provide a written statement to the committee explaining why full  
1195 corrective action has not been taken or, if the governing body  
1196 intends to take full corrective action, describing the  
1197 corrective action to be taken and when it will occur. If the  
1198 committee determines that the written statement is not  
1199 sufficient, it may require the chair of the governing body of  
1200 the local governmental entity or the chair's designee, the  
1201 elected official of each county agency or the elected official's  
1202 designee, the chair of the district school board or the chair's  
1203 designee, the chair of the board of the charter school or the  
1204 chair's designee, or the chair of the board of the charter  
1205 technical career center or the chair's designee, as appropriate,  
1206 to appear before the committee. If the committee determines that  
1207 an audited entity has failed to take full corrective action for  
1208 which there is no justifiable reason for not taking such action,  
1209 or has failed to comply with committee requests made pursuant to  
1210 this section, the committee may proceed in accordance with s.  
1211 11.40(5).

1212 (9)~~(7)~~ The predecessor auditor of a district school board  
1213 shall provide the Auditor General access to the prior year's  
1214 working papers in accordance with the Statements on Auditing  
1215 Standards, including documentation of planning, internal  
1216 control, audit results, and other matters of continuing  
1217 accounting and auditing significance, such as the working paper  
1218 analysis of balance sheet accounts and those relating to

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1219 contingencies.

1220 ~~(8) All audits conducted in accordance with this section~~  
1221 ~~must be conducted in accordance with the rules of the Auditor~~  
1222 ~~General promulgated pursuant to s. 11.45. All audit reports and~~  
1223 ~~the officer's written statement of explanation or rebuttal must~~  
1224 ~~be submitted to the Auditor General within 45 days after~~  
1225 ~~delivery of the audit report to the entity's governing body, but~~  
1226 ~~no later than 12 months after the end of the fiscal year.~~

1227 ~~(10)~~(9) Each charter school and charter technical career  
1228 center must file a copy of its audit report with the sponsoring  
1229 entity; the local district school board, if not the sponsoring  
1230 entity; the Auditor General; and with the Department of  
1231 Education.

1232 ~~(11)~~(10) This section does not apply to housing authorities  
1233 created under chapter 421.

1234 ~~(12)~~(11) Notwithstanding the provisions of any local law,  
1235 the provisions of this section shall govern.

1236 Section 21. Paragraph (e) of subsection (1) of section  
1237 218.503, Florida Statutes, is amended to read:

1238 218.503 Determination of financial emergency.—

1239 (1) Local governmental entities, charter schools, charter  
1240 technical career centers, and district school boards shall be  
1241 subject to review and oversight by the Governor, the charter  
1242 school sponsor, the charter technical career center sponsor, or  
1243 the Commissioner of Education, as appropriate, when any one of  
1244 the following conditions occurs:

1245 (e) A ~~An unreserved or total~~ fund balance ~~or retained~~  
1246 ~~earnings~~ deficit in total or for that portion of fund balance  
1247 classified as neither restricted or nonspendable, or a

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1248 ~~unrestricted or total~~ or unrestricted net assets deficit, as  
1249 reported on the balance sheet or statement of net assets on the  
1250 ~~general purpose or~~ fund financial statements of entities  
1251 required to report under governmental financial reporting  
1252 standards, or on the basic financial statements of entities  
1253 required to report under not-for-profit financial reporting  
1254 standards, for which sufficient resources of the local  
1255 governmental entity, charter school, charter technical career  
1256 center, or district school board, as reported on the ~~balance~~  
1257 ~~sheet or statement of net assets on the general purpose or~~ fund  
1258 financial statements, are not available to cover the deficit.  
1259 Resources available to cover reported deficits include fund  
1260 balance or net assets that are not otherwise restricted by  
1261 federal, state, or local laws, bond covenants, contractual  
1262 agreements, or other legal constraints. Property, plant, and  
1263 equipment ~~Fixed or capital assets~~, the disposal of which would  
1264 impair the ability of a local governmental entity, charter  
1265 school, charter technical career center, or district school  
1266 board to carry out its functions, are not considered resources  
1267 available to cover reported deficits.

1268 Section 22. Paragraph (c) of subsection (5) of section  
1269 373.536, Florida Statutes, is amended, and paragraph (c) is  
1270 added to subsection (6) of that section, to read:

1271 373.536 District budget and hearing thereon.—

1272 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
1273 APPROVAL.—

1274 (c) Each water management district shall, by August 1 of  
1275 each year, submit for review a tentative budget to the Governor,  
1276 the President of the Senate, the Speaker of the House of

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1277 Representatives, the chairs of all legislative committees and  
1278 subcommittees with substantive or fiscal jurisdiction over water  
1279 management districts, as determined by the President of the  
1280 Senate or the Speaker of the House of Representatives as  
1281 applicable, the secretary of the department, and the governing  
1282 body of each county in which the district has jurisdiction or  
1283 derives any funds for the operations of the district. The  
1284 tentative budget must be posted on the water management  
1285 district's official website at least 2 days before budget  
1286 hearings held pursuant to s. 200.065 or other law.

1287 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;  
1288 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1289 (c) The final adopted budget must be posted on the water  
1290 management district's official website within 30 days after  
1291 adoption.

1292 Section 23. Subsections (1) and (5) of section 1011.03,  
1293 Florida Statutes, are amended, and subsection (6) is added to  
1294 that section, to read:

1295 1011.03 Public hearings; budget to be submitted to  
1296 Department of Education.—

1297 (1) Each district school board must cause a summary of its  
1298 tentative budget, including the proposed millage levies as  
1299 provided for by law, and graphs illustrating a historical  
1300 summary of financial and demographic data, to be advertised at  
1301 least once ~~one time~~ as a full-page advertisement in the  
1302 newspaper with the largest circulation published in the district  
1303 or to be posted at the courthouse door if there be no such  
1304 newspaper. The board shall post the summary of its tentative  
1305 budget on the district's official website. If the district does

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1306 not operate an official website, the board must, within a  
1307 reasonable period of time as established by the county in which  
1308 the district is located, transmit the summary to the manager or  
1309 administrator of the county. The manager or administrator shall  
1310 post the summary of the tentative budget on the county's  
1311 website.

1312 (5) The board shall hold public hearings to adopt tentative  
1313 and final budgets pursuant to s. 200.065. The hearings shall be  
1314 primarily for the purpose of hearing requests and complaints  
1315 from the public regarding the budgets and the proposed tax  
1316 levies and for explaining the budget and proposed or adopted  
1317 amendments thereto, if any. The tentative budget must be posted  
1318 on the district's official website at least 2 days before the  
1319 budget hearing held pursuant to s. 200.065 or other law. The  
1320 final adopted budget must be posted on the district's official  
1321 website within 30 days after adoption. If the district does not  
1322 operate an official website, the board must, within a reasonable  
1323 period of time as established by the county in which the  
1324 district is located, transmit the tentative budget or final  
1325 budget to the manager or administrator of the county. The  
1326 manager or administrator shall post the tentative budget or  
1327 final budget on the county's website. The ~~district school~~ board  
1328 shall ~~then~~ require the superintendent to transmit ~~forthwith~~ two  
1329 copies of the adopted budget to the Department of Education for  
1330 approval as prescribed by law and rules of the State Board of  
1331 Education.

1332 (6) If the governing body of a district amends the budget,  
1333 the adopted amendment must be posted on the official website of  
1334 the district within 5 days after adoption. If the district does

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1335 not operate an official website, the board must, within a  
1336 reasonable period of time as established by the county in which  
1337 the district is located, transmit the adopted amendment to the  
1338 manager or administrator of the county. The manager or  
1339 administrator shall post the tentative budget and final budget  
1340 on the county's website.

1341 Section 24. Section 1011.051, Florida Statutes, is amended  
1342 to read:

1343 1011.051 Guidelines for general funds.—The district school  
1344 board shall maintain a ~~an unreserved~~ general fund ending fund  
1345 balance that is sufficient to address normal contingencies.

1346 (1) If at any time the portion of the unreserved general  
1347 fund's ending fund fund balance classified as neither restricted  
1348 or nonspendable in the district's approved operating budget is  
1349 projected to fall ~~during the current fiscal year~~ below 3 percent  
1350 of projected general fund revenues during the current fiscal  
1351 year, the superintendent shall provide written notification to  
1352 the district school board and the Commissioner of Education.

1353 (2) If at any time the portion of the unreserved general  
1354 fund's ending fund fund balance classified as neither restricted  
1355 or nonspendable in the district's approved operating budget is  
1356 projected to fall ~~during the current fiscal year~~ below 2 percent  
1357 of projected general fund revenues during the current fiscal  
1358 year, the superintendent shall provide written notification to  
1359 the district school board and the Commissioner of Education.  
1360 Within 14 days after receiving such notification, if the  
1361 commissioner determines that the district does not have a plan  
1362 that is reasonably anticipated to avoid a financial emergency as  
1363 determined pursuant to s. 218.503, the commissioner shall

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1364 appoint a financial emergency board that shall operate  
1365 consistent with the requirements, powers, and duties specified  
1366 in s. 218.503(3)(g).

1367 Section 25. Paragraph (a) of subsection (3) of section  
1368 1011.64, Florida Statutes, is amended to read:

1369 1011.64 School district minimum classroom expenditure  
1370 requirements.—

1371 (3)(a) Annually the Department of Education shall calculate  
1372 for each school district:

1373 1. Total K-12 operating expenditures, which are defined as  
1374 the amount of total general fund expenditures for K-12 programs  
1375 as reported in accordance with the accounts and codes prescribed  
1376 in the most recent issuance of the Department of Education  
1377 publication entitled "Financial and Program Cost Accounting and  
1378 Reporting for Florida Schools" and as included in the most  
1379 recent annual financial report submitted to the Commissioner of  
1380 Education, less the student transportation revenue allocation  
1381 from the state appropriation for that purpose, amounts  
1382 transferred to other funds, and increases to the amount of the  
1383 general fund's ~~fund-unreserved~~ ending fund balance classified as  
1384 neither restricted or nonspendable when the total ~~unreserved~~  
1385 ending fund balance classified as neither restricted or  
1386 nonspendable is in excess of 5 percent of the total general fund  
1387 revenues.

1388 2. Expenditures for classroom instruction, which shall be  
1389 the sum of the general fund expenditures for K-12 instruction  
1390 and instructional staff training.

1391 Section 26. This act shall take effect October 1, 2010.