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CS/HB 1037, Engrossed 2

2012 Legislature

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2 An act relating to eminent domain; amending s.
3 1002.36, F.S.; authorizing the Board of Trustees of
4 the Florida School for the Deaf and the Blind to
5 exercise the power of eminent domain after receiving
6 approval from the Administration Commission; providing
7 an effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Paragraph (e) of subsection (4) of section
12 1002.36, Florida Statutes, is amended to read:

13 1002.36 Florida School for the Deaf and the Blind.—

14 (4) BOARD OF TRUSTEES.—

15 (e) The board of trustees is invested with full power and
16 authority to:

17 1. Appoint a president, faculty, teachers, and other
18 employees and remove the same as in its judgment may be best and
19 fix their compensation.

20 2. Procure professional services, such as medical, mental
21 health, architectural, and engineering.

22 3. Procure legal services without the prior written
23 approval of the Attorney General.

24 4. Determine eligibility of students and procedure for
25 admission.

26 5. Provide for the students of the school necessary
27 bedding, clothing, food, and medical attendance and such other
28 things as may be proper for the health and comfort of the

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29 students without cost to their parents, except that the board of
 30 trustees may set tuition and other fees for nonresidents.

31 6. Provide for the proper keeping of accounts and records
 32 and for budgeting of funds.

33 7. Enter into contracts.

34 8. Sue and be sued.

35 9. Secure public liability insurance.

36 10. Do and perform every other matter or thing requisite
 37 to the proper management, maintenance, support, and control of
 38 the school at the highest efficiency economically possible, the
 39 board of trustees taking into consideration the purposes of the
 40 establishment.

41 11. Receive gifts, donations, and bequests of money or
 42 property, real or personal, tangible or intangible, from any
 43 person, firm, corporation, or other legal entity. However, the
 44 board of trustees may not obligate the state to any expenditure
 45 or policy that is not specifically authorized by law. If the
 46 bill of sale, will, trust indenture, deed, or other legal
 47 conveyance specifies terms and conditions concerning the use of
 48 such money or property, the board of trustees shall observe such
 49 terms and conditions.

50 12. Deposit outside the State Treasury such moneys as are
 51 received as gifts, donations, or bequests and may disburse and
 52 expend such moneys, upon its own warrant, for the use and
 53 benefit of the Florida School for the Deaf and the Blind and its
 54 students, as the board of trustees deems to be in the best
 55 interest of the school and its students. Such money or property
 56 does ~~shall~~ not constitute and may not ~~or~~ be considered a part of

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57 any legislative appropriation.

58 13. Sell or convey by bill of sale, deed, or other legal
59 instrument any property, real or personal, received as a gift,
60 donation, or bequest, upon such terms and conditions as the
61 board of trustees deems to be in the best interest of the school
62 and its students.

63 14. Invest such moneys in securities enumerated under s.
64 215.47(1), (2)(c), (3), (4), and (10), and in The Common Fund,
65 an Investment Management Fund exclusively for nonprofit
66 educational institutions.

67 15. After receiving approval from the Administration
68 Commission, exercise the power of eminent domain in the manner
69 provided in chapter 73 or chapter 74.

70 Section 2. This act shall take effect July 1, 2012.