



27 may be amended in the same manner as any other ordinance. The  
28 boundaries of the district shall be coterminous with the  
29 boundaries of the county.

30 (b) The county commission shall obtain approval at  
31 referendum to annually levy ad valorem taxes, not to exceed the  
32 maximum millage rate authorized by this section. A district  
33 created pursuant to this subsection shall levy and fix millage  
34 pursuant to s. 200.065.

35 (c) Once such millage is approved by the electors, the  
36 district shall seek approval of the electors every 4 years to  
37 levy the previously approved millage. District elections shall  
38 be conducted pursuant to s. 189.405.

39 (3) (a) The governing board of the district shall be a  
40 council on pet services and advocacy programs, which shall be  
41 known as the Pets' Trust of the county in which the council is  
42 located. The council shall be established by the county  
43 commission and shall consist of 14 members appointed by the  
44 commission, as follows:

45 1. The director of animal services for the county, who  
46 shall serve as a nonvoting member.

47 2. The director of the county humane society or a  
48 representative from a rescue shelter located in the county.

49 3. Three members from nonprofit animal rescue groups.

50 4. Two animal advocates.

51 5. Two veterinarians practicing in the county.

52 6. One certified public accountant practicing in the

53 county.

54 7. One attorney practicing in the county.

55 8. Three distinguished community activists.

56 (b) Members shall be appointed for 2-year terms, except  
57 that the initial terms of the community activist members shall  
58 be adjusted to stagger the terms. Council members must be  
59 residents of the county in which the council is located for a  
60 period of at least 24 months before appointment to the council.  
61 The council may remove a member for cause by majority vote or  
62 upon the written petition of the county commission.

63 (4) (a) The council shall have the following powers and  
64 duties:

65 1. To allocate funds to nonprofit or municipal  
66 organizations in good financial standing that will deliver the  
67 services listed in this paragraph in such a way as to create the  
68 greatest impact on the animal overpopulation crisis in the  
69 county; improve animal care in the county; provide veterinary  
70 medical care for pets with low-income owners; implement pet  
71 education, surrender prevention, and adoption programs; and  
72 address the prevention of animal cruelty. Each council shall  
73 develop an application process for the organizations eligible to  
74 provide services within the county.

75 2. To lease real estate and buy equipment and personal  
76 property as needed to execute the powers and duties under this  
77 paragraph, provided such leases and purchases are only paid for  
78 with cash on hand or secured by funds deposited in financial

79 institutions. This subparagraph does not authorize a district to  
80 issue bonds of any nature or to require the imposition of a bond  
81 by the county commission.

82 3. To collect information and statistical data that will  
83 assist the council and the county in deciding the needs of  
84 animals in the county.

85 4. To allocate an amount not to exceed 5 percent of the  
86 revenue generated to employ, compensate, and provide benefits  
87 for part-time or full-time personnel needed to execute the  
88 powers and duties listed in this paragraph, including office  
89 space for such personnel and associated administrative costs.

90 5. To fund spay and neuter programs, including the  
91 provision of spay and neuter services by existing community and  
92 private providers and building additional spay and neuter  
93 facilities that are targeted specifically at low-income pet  
94 owners, as measured by the poverty index of the county in which  
95 the council is located, pet owners in high shelter-intake areas,  
96 and pet owners of community animals that are adopted out,  
97 transferred, or released in any way by the county animal  
98 shelter. At least 60 percent but not more than 70 percent of the  
99 council's revenue must be used for the types of spay and neuter  
100 programs listed in this subparagraph in each of the first 3  
101 years of the council's existence, or until shelter deaths reach  
102 one-half the volume of the current state average, whichever  
103 period is longer. Additionally, the council shall allocate a  
104 portion of the remaining revenue to pet retention, surrender

105 prevention, adoption, and animal welfare education programs for  
106 both children and adults. The council shall decide how the  
107 revenue is allocated to most significantly impact the animal  
108 overpopulation problem in the community and to address the root  
109 causes of animal abuse and abandonment. If the current animal  
110 welfare and spay and neuter organizations in the county are  
111 unable to provide all services that may be funded during any one  
112 year, revenues may be rolled over and used by the council in the  
113 following year.

114 6. To allocate up to 5 percent of the revenue to assist  
115 rescue groups that specialize in the transport, impound, and  
116 care of victims of large animal cruelty and neglect each year.

117 7. To ensure that all pets adopted from or sent to a  
118 rescue partner from an animal shelter are sterilized, if  
119 medically feasible, pursuant to the time periods specified in  
120 chapter 823.

121 8. To ensure that funds are allocated only to those  
122 organizations providing services in the county served by the  
123 council.

124 9. To allocate the appropriate budget line item for a  
125 professional audit each year to ensure effectiveness and  
126 transparency and to gain the trust of the community.

127 10. To allocate a portion not to exceed 2 percent of the  
128 revenue for public relations, including notifying the public of  
129 locations and services provided. Allocations in this  
130 subparagraph may not be used for political purposes, including,

131 but not limited to, get-out-the-vote efforts.

132 (b) Each council shall:

133 1. Immediately after the members are appointed, elect a  
134 chair and a vice chair from among its members, and elect other  
135 officers as deemed necessary by the council.

136 2. Immediately after the members are appointed and the  
137 officers are elected, hire a staff to identify and assess the  
138 needs of the pets in the county served by the council. Staff  
139 shall receive reasonable compensation, which may vary by county.  
140 Compensation for lobbyists hired to represent a council shall be  
141 capped at \$50,000 annually. Staff shall submit to the county  
142 commission a written description of:

143 a. The activities, services, and opportunities that will  
144 be provided to pets.

145 b. The anticipated schedule for providing such activities,  
146 services, and opportunities.

147 c. The manner in which pets will be served, including a  
148 description of arrangements and agreements that will be made  
149 with community organizations.

150 d. The manner in which the council will seek and provide  
151 funding for unmet needs.

152 e. The strategy that will be used for interagency  
153 coordination to maximize existing human and fiscal resources and  
154 reduce the duplication of services.

155 3. Provide training and orientation to all new members  
156 sufficient to allow them to perform their duties.

157 4. Adopt bylaws, rules, and regulations for the council's  
158 guidance, operation, governance, and maintenance, provided such  
159 bylaws, rules, and regulations are consistent with applicable  
160 federal or state laws or county ordinances.

161 5. Provide a biannual written report, to be presented no  
162 later than January 1 and July 1 of each year, to the county  
163 commission. The report shall contain, but is not limited to, the  
164 following information:

165 a. Information on the effectiveness of activities,  
166 services, and programs offered by the council, including the  
167 cost-effectiveness of such activities, services, and programs.

168 b. A detailed, anticipated budget for continuation of  
169 activities, services, and programs offered by the council.

170 c. A description of the degree to which the council's  
171 objectives and activities are consistent with the goals of this  
172 section.

173 (c) The council shall comply with the meetings, notice,  
174 and reporting requirements contained in ss. 189.415, 189.417,  
175 and 189.418; the compliance reporting required under part III of  
176 chapter 218; and the provisions of part III of chapter 112, the  
177 Code of Ethics for Public Officers and Employees.

178 (d) Members of the council shall serve without  
179 compensation but are entitled to receive reimbursement for per  
180 diem and travel expenses consistent with the provisions of s.  
181 112.061.

182 (5) (a) The fiscal year of the district shall be the same

183 as that of the county.

184 (b) On or before July 1 of each year, the council shall  
185 prepare a tentative annual written budget of the district's  
186 expected income and expenditures, including a contingency fund.  
187 The council shall, in addition, compute a proposed millage rate  
188 within the voter-approved cap necessary to fund the tentative  
189 budget and, before adopting a final budget, comply with the  
190 provisions of s. 200.065, relating to the method of fixing  
191 millage, and shall fix the final millage rate by resolution of  
192 the council. The adopted budget and final millage rate shall be  
193 certified and delivered to the county commission as soon as  
194 possible after the council's adoption of the final budget and  
195 millage rate pursuant to chapter 200. Included in each certified  
196 budget shall be the millage rate, adopted by resolution of the  
197 council, necessary to be applied to raise the funds budgeted for  
198 district operations and expenditures. In no circumstances,  
199 however, shall a district levy millage to exceed a maximum of  
200 0.10 mills of assessed valuation of all properties within the  
201 county that are subject to ad valorem county taxes.

202 (c) The budget of the district so certified and delivered  
203 to the county commission is not subject to change or  
204 modification by the county commission or another authority.

205 (d) All tax money collected under this section, as soon  
206 after the collection thereof as is reasonably practicable, shall  
207 be paid directly to the council by the tax collector of the  
208 county, or the clerk of the circuit court if the clerk collects



209 delinquent taxes.

210 (e)1. All moneys received by the council shall be  
 211 deposited in qualified public depositories, as defined in s.  
 212 280.02, with separate and distinguishable accounts established  
 213 specifically for the council and shall be withdrawn only by  
 214 checks signed by the chair of the council and countersigned by a  
 215 chief executive officer who shall be so authorized by the  
 216 council.

217 2. Upon entering the duties of office, the chair and the  
 218 chief executive officer who signs its checks shall each give a  
 219 surety bond in the sum of \$1,000, which bond must be conditioned  
 220 that each of them shall faithfully discharge the duties of  
 221 office. The premium on said bond may be paid by the special  
 222 district as part of the expense of the council.

223 3. Funds of the district may only be expended by check as  
 224 provided in subparagraph 1., except expenditures may be made  
 225 from a petty cash account but may not at any time exceed \$100.  
 226 All expenditures from petty cash shall be recorded in the books  
 227 and records of the council. Funds of the district, except  
 228 expenditures from petty cash, may only be expended with prior  
 229 approval of and budgeting by the council.

230 (f) Within 10 business days, excluding legal holidays,  
 231 after the expiration of each quarter annual period, the council  
 232 shall prepare and file with the county commission a financial  
 233 report that includes the following:

234 1. The total expenditures of the council for the quarter

235 annual period.

236 2. The total receipts of the council during the quarter  
 237 annual period.

238 3. A statement of the funds the council has on hand, has  
 239 invested, or has deposited with qualified public depositories at  
 240 the end of the quarter annual period.

241 4. The total administrative costs of the council for the  
 242 quarter annual period.

243 (6) A district created pursuant to this section may be  
 244 dissolved pursuant to s. 189.4042. If a district is dissolved,  
 245 the title to all property owned by the district is transferred  
 246 to the local general-purpose government, which shall also assume  
 247 all indebtedness of the preexisting special district in  
 248 accordance with s. 189.4045.

249 (7) Notwithstanding paragraph (2)(b), a nonbinding straw  
 250 ballot approved by the electors of a county within 2 years  
 251 before the effective date of this section, to the extent that  
 252 the straw ballot expressed the support of the electors for a  
 253 levy of ad valorem taxes to fund animal services programs, is  
 254 deemed to be approval for purposes of this section of the levy  
 255 of ad valorem taxes not to exceed the millage rate proposed in  
 256 the straw ballot or the maximum millage rate authorized by this  
 257 section, whichever is less.

258 Section 2. This act shall take effect July 1, 2014.