

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Fresen offered the following:

Substitute Amendment for Amendment (553231) (with title amendment)

Remove line 165 and insert:
the local general-purpose government pursuant to s. 189.035(2)

Remove lines 2536-2657 and insert:
ordinance or resolution.-

(1) This section applies to any special district created by local ordinance or resolution.

(2) If a special district fails to file required reports or requested information under ss. 11.45(7), 218.32, 218.39, or 218.503(3), with the appropriate state agency or office, the

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15 Legislative Auditing Committee or its designee shall provide
16 written notice of the district's noncompliance to the chair or
17 equivalent of the local general-purpose government.

18 (3) The chair or equivalent of the local general-purpose
19 government may convene a public hearing on the issue of
20 noncompliance, as well as general oversight of the special
21 district as provided in s. 189.068, within 3 months after
22 receipt of notice of noncompliance from the Legislative Auditing
23 Committee. Within 30 days after receiving written notice of
24 noncompliance, the local general-purpose government shall notify
25 the Legislative Auditing Committee whether a hearing under this
26 section will be held, and if so, provide the date, time, and
27 place of the hearing.

28 (4) Before the public hearing as provided in subsection
29 (3), the special district shall provide the following
30 information at the request of the local general-purpose
31 government:

32 (a) The district's annual financial report for the
33 previous fiscal year.

34 (b) The district's audit report for the previous fiscal
35 year.

36 (c) An annual report for the previous fiscal year,
37 providing a detailed review of the performance of the special
38 district, including the following information:

39 1. The purpose of the special district.

40 2. The sources of funding for the special district.

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41 3. A description of the major activities, programs, and
42 initiatives that the special district has undertaken in the most
43 recently completed fiscal year and the benchmarks or criteria
44 under which the success or failure of the district was
45 determined by its governing body.

46 4. Any challenges or obstacles faced by the special
47 district in fulfilling its purpose and related responsibilities.

48 5. Ways the special district believes it could better
49 fulfill its purpose and related responsibilities and a
50 description of the actions that it intends to take during the
51 ensuing fiscal year.

52 6. Proposed changes to the ordinance or resolution that
53 established the special district and justification for such
54 changes.

55 7. Any other information reasonably required to provide
56 the reviewing entity with an accurate understanding of the
57 purpose for which the special district exists and how it is
58 fulfilling its responsibilities to accomplish that purpose.

59 8. Any reasons for the district's noncompliance.

60 9. Whether the district is currently in compliance.

61 10. Plans to correct any recurring issues of
62 noncompliance.

63 11. Efforts to promote transparency, including maintenance
64 of the district's website in accordance with s. 189.069.

65 (5) If the local general-purpose government convenes a
66 public hearing under this section, it shall provide the

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67 department and the Legislative Auditing Committee with a report
68 containing its findings and conclusions within 60 days after
69 completion of the public hearing.

70 Section 53. Section 189.055, Florida Statutes, is created
71 to read:

72 189.055 Treatment of special districts.—For the purpose of
73 s. 196.199(1), special districts shall be treated as
74 municipalities.

75 Section 54. Section 189.069, Florida Statutes, is created
76 to read:

77 189.069 Special districts; required reporting of
78 information; web-based public access.—

79 (1) Beginning on October 1, 2015, or by the end of the
80 first full fiscal year after its creation, each special district
81 shall maintain an official Internet website containing the
82 information required by this section in accordance with s.
83 189.016. Special districts shall submit their official Internet
84 website addresses to the department.

85 (a) Independent special districts shall maintain a
86 separate internet website.

87 (b) Dependent special districts shall be preeminently
88 displayed on the home page of the Internet website of the
89 general-purpose government that created the special district
90 with a hyperlink to such webpages as are necessary to provide
91 the information required by this section. Dependent special

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92 districts may maintain a separate Internet website providing the
93 information required by this section.

94 (2) (a) A special district shall post the following
95 information, at a minimum, on the district's official website:

96 1. The full legal name of the special district.

97 2. The public purpose of the special district.

98 3. The name, address, e-mail address, and, if applicable,
99 the term and appointing authority for each member of the
100 governing body of the special district.

101 4. The fiscal year of the special district.

102 5. The full text of the special district's charter, the
103 date of establishment, the establishing entity, and the statute
104 or statutes under which the special district operates, if
105 different from the statute or statutes under which the special
106 district was established. Community development districts may
107 reference chapter 190, as the uniform charter, but must include
108 information relating to any grant of special powers.

109 6. The mailing address, e-mail address, telephone number,
110 and Internet website uniform resource locator of the special
111 district.

112 7. A description of the boundaries or service area of, and
113 the services provided by, the special district.

114 8. A listing of all taxes, fees, assessments, or charges
115 imposed and collected by the special district, including the
116 rates or amounts for the fiscal year and the statutory authority
117 for the levy of the tax, fee, assessment, or charge. For

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118 purposes of this subparagraph, charges do not include patient
119 charges by a hospital or other health care provider.

120 9. The primary contact information for the special
121 district for purposes of communication from the department.

122 10. A code of ethics adopted by the special district, if
123 applicable, and a hyperlink to generally applicable ethics
124 provisions.

125 11. The budget of each special district, in addition to
126 amendments in accordance with s. 189.418.

127 12. The final, complete audit report for the most recent
128 completed fiscal year, and audit reports required by law or
129 authorized by the governing body of the special district.

130 (b) The department's Internet website list of special
131 districts in the state required under s. 189.061 shall include a
132 link for each special district that provides web-based access to
133 the public for all information and documentation required for
134 submission to the department pursuant to subsection (1).

135 Section 55. The governing body of a municipality that
136 created a downtown development authority and was authorized to
137 levy an additional ad valorem tax under chapter 65-1090, Laws of
138 Florida, may continue to levy said additional ad valorem tax on
139 all real and personal property in the downtown district of up to
140 0.5 mills for the purpose of financing the operation of the
141 authority. The levy of the ad valorem tax shall be in addition
142 to regular ad valorem taxes and special assessments for
143 improvements imposed by the governing body of the municipality;

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144 however, the combined levy may not exceed the maximum millage
145 authorized for municipal purposes under s. 9(b), Article VII of
146 the State Constitution.

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149 **T I T L E A M E N D M E N T**

150 Remove line 92 and insert:
151 website of certain special districts; authorizing
152 certain municipalities to continue levying an
153 additional ad valorem tax to finance the operation of
154 a downtown development authority; providing that the
155 tax is in addition to regular ad valorem taxes and
156 assessments imposed by the municipality; prohibiting
157 the combined taxes and assessments of the municipality
158 from exceeding a specified millage; amending ss.