

1 A bill to be entitled

2 An act relating to hospital districts; defining the
3 term "hospital district"; requiring decennial
4 reauthorization of the taxing authority of certain
5 hospital districts; prohibiting hospital districts
6 from levying property tax without the consent of
7 electors residing within the hospital district;
8 terminating the taxing authority of a hospital
9 district if referenda are not approved by majority
10 vote of the electors; providing for allocation of
11 hospital district assets and liabilities under certain
12 circumstances; providing requirements for the
13 creation, expansion, or combining of certain hospital
14 districts; requiring certain public hospitals to
15 prepare an economic analysis; providing requirements
16 for such analysis; prohibiting a hospital district
17 from levying a property tax without a referendum of
18 electors pursuant to the act; providing a referendum
19 requirement for a property tax levy contingent upon
20 future government-subsidized health care funding;
21 providing an effective date.

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23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. (1) As used in this act, the term "hospital
26 district" means a special district as defined in s. 189.012,

27 Florida Statutes, the governing body of which is the governing
28 body of a facility licensed under chapter 395, Florida Statutes.

29 (2) (a) On or before July 1, 2016, and every 10th year
30 thereafter, each hospital district with taxing authority,
31 whether organized as an independent or dependent special
32 district or created by special act or local ordinance, shall
33 arrange to place on the next general election ballot of the
34 electors residing within the hospital district the following
35 question: "Shall the taxing authority of the ...(name of
36 hospital district)... be reauthorized, for a 10-year period, to
37 levy a tax of ...(amount of tax not to exceed 2 mills)..., the
38 proceeds of which shall fund indigent care for residents of the
39 hospital district?" and thereafter the words "Yes" and "No."

40 (b) If a majority of the electors in a hospital district
41 do not approve the reauthorization ballot question described in
42 paragraph (a), effective January 1 of the year following the
43 general election, the taxing authority of the hospital district
44 is terminated. The governing board may maintain the hospital
45 district without taxing authority or dissolve the hospital
46 district. If the hospital district is dissolved, the assets and
47 liabilities of the hospital district shall be allocated in the
48 manner authorized by s. 189.076(2), Florida Statutes.

49 (3) (a) Notwithstanding paragraph (2) (b), the termination
50 of the taxing authority of the hospital district may be delayed
51 for 1 additional year if the respective county places the
52 following question on the ballot of the electors in the county

53 before December 31 of the subsequent year, and a majority of
54 electors voting approve the ballot question: "Shall the taxing
55 authority of the ...(name of hospital district)... be
56 reauthorized and expanded to include all property in ...(name of
57 county)..., for a 10-year period, to levy a tax of ...(amount of
58 tax not to exceed 2 mills)... on all taxable property within the
59 county to fund indigent care?" and thereafter the words "Yes"
60 and "No."

61 (b) If a majority of the electors voting do not approve
62 the reauthorization ballot question described in this
63 subsection, effective January 1 of the year following the
64 election, the taxing authority of the hospital district is
65 terminated. The governing board may maintain the hospital
66 district without taxing authority or dissolve the hospital
67 district. If the hospital district is dissolved, the assets and
68 liabilities of the hospital district shall be allocated in the
69 manner authorized by s. 189.076(2), Florida Statutes.

70 (4) A new, expanded, or combined hospital district may be
71 formed for the purpose of funding indigent care for residents
72 within the hospital district if the respective governing entity
73 places the following question on the general election ballot of
74 the electors in the new, expanded, or combined hospital district
75 or county, and a majority of electors voting approve the ballot
76 question: "Shall the ...(name of new, expanded, or combined
77 hospital district or county)... be authorized or reauthorized,
78 for a 10-year period, to levy a tax of ...(amount of tax not to

79 exceed 2 mills)... on all taxable property within ... (name of
80 new, expanded, or combined hospital district or county)... to
81 fund indigent care?" and thereafter the words "Yes" and "No."

82 Section 2. For a public hospital described in subsection
83 (1), subsection (2), or subsection (3), a county shall obtain
84 and publish an appraisal of the hospital's assets and an
85 economic analysis of the projected public benefit derived from
86 maintaining the hospital as a public hospital or leasing or
87 selling the hospital to a for-profit entity pursuant to s.
88 155.40, Florida Statutes. The economic analysis shall consider
89 the property and sales tax revenue available after the lease or
90 sale and conversion of the hospital and the projected earnings
91 of a potential endowment created from the proceeds of the lease
92 or sale. The economic analysis shall provide that,
93 notwithstanding s. 155.40(16)(b), Florida Statutes, 100 percent
94 of the net proceeds of the lease or sale shall be used to fund
95 indigent care and shall provide that, notwithstanding s.
96 155.40(17), Florida Statutes, any ad valorem revenues shall be
97 annually added to the endowment fund and 100 percent of such
98 revenues shall be used for indigent care. This section applies
99 to:

100 (1) A public hospital that does not make an operating
101 profit for 3 out of 5 consecutive years, that is not within a
102 hospital district, and that has not been subject to a hospital
103 district referendum as provided in this act.

104 (2) A public hospital that does not make an operating

105 profit for 3 out of 5 consecutive years, that is not within a
106 hospital district, and that has been subject to a hospital
107 district referendum pursuant to this section but in which a
108 majority of electors voting did not approve the referendum.

109 (3) A public hospital that does not make an operating
110 profit for 3 out of 5 consecutive years, that is within a
111 hospital district, and that has been subject to a hospital
112 district referendum as provided in this act. For purposes of
113 this subsection, the calculation of the hospital's operating
114 profit shall include the property tax authorized by the electors
115 as revenue.

116 Section 3. (1) Notwithstanding any general law, special
117 law, or local ordinance, a hospital district may not levy a
118 property tax without the approval of a majority of electors
119 residing within the district voting in a referendum as provided
120 in this act.

121 (2) (a) An existing or planned hospital district seeking
122 authorization or reauthorization to levy a property tax after
123 health care coverage is otherwise available via Medicaid or
124 other government-subsidized funding to families with approximate
125 incomes of up to 138 percent of the federal poverty level shall
126 arrange to place on the next general election ballot of the
127 electors residing within the hospital district, whether the
128 district includes an entire county or a portion of a county, the
129 following question: "While health care coverage is available via
130 Medicaid or other government-subsidized funding to families with

HB 953

2015

131 approximate incomes of up to 138 percent of the federal poverty
132 level, shall the taxing authority of the ... (name of hospital
133 district)... be authorized to levy a tax of ... (amount of tax
134 not to exceed 2 mills)... to fund indigent care for residents of
135 the taxing district?" and thereafter the words "Yes" and "No."

136 (b) If a majority of the electors voting approve the
137 ballot question, the provisions of this act regarding
138 reauthorization shall apply to the hospital district and its
139 taxing authority.

140 Section 4. This act shall take effect upon becoming a law.