

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 combination of certain
14 hospital districts; requiring certain public hospitals
15 to prepare an economic analysis; providing
16 requirements for such analysis; prohibiting a hospital
17 district from levying a property tax without a
18 referendum of electors pursuant to the act; providing
19 a referendum requirement for a property tax levy
20 contingent upon future government-subsidized health
21 care funding; specifying that taxes generated in a
22 hospital taxing district be paid to the district
23 rather than a community redevelopment area; providing
24 an effective date.

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

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28 Section 1. (1) As used in this act, the term "hospital
29 district" means a special district as defined in s. 189.012,
30 Florida Statutes, the governing body of which is the governing
31 body of a facility licensed under chapter 395, Florida Statutes.

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

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

52 (3) (a) Notwithstanding paragraph (2) (b), the termination

53 of the taxing authority of the hospital district may be delayed
 54 for 1 additional year if the respective county places the
 55 following question on the ballot of the electors in the county
 56 before December 31 of the subsequent year, and a majority of
 57 electors voting approve the ballot question: "Shall the taxing
 58 authority of the ...(name of hospital district)... be
 59 reauthorized and expanded to include all property in ...(name of
 60 county)..., for a 10-year period, to levy a tax of ...(amount of
 61 tax not to exceed 2 mills)... on all taxable property within the
 62 county to fund indigent care?" and thereafter the words "Yes"
 63 and "No."

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

73 (4) A new, expanded, or combined hospital district may be
 74 formed for the purpose of funding indigent care for residents
 75 within the hospital district if the respective governing entity
 76 places the following question on the general election ballot of
 77 the electors in the new, expanded, or combined hospital district
 78 or county, and a majority of electors voting approve the ballot

79 question: "Shall the ... (name of new, expanded, or combined
80 hospital district or county) ... be authorized or reauthorized,
81 for a 10-year period, to levy a tax of ... (amount of tax not to
82 exceed 2 mills) ... on all taxable property within ... (name of
83 new, expanded, or combined hospital district or county) ... to
84 fund indigent care?" and thereafter the words "Yes" and "No."

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

103 (1) A public hospital that does not make an operating
104 profit for 3 out of 5 consecutive years, that is not within a

105 hospital district, and that has not been subject to a hospital
106 district referendum as provided in this act.

107 (2) A public hospital that does not make an operating
108 profit for 3 out of 5 consecutive years, that is not within a
109 hospital district, and that has been subject to a hospital
110 district referendum pursuant to this section but in which a
111 majority of electors voting did not approve the referendum.

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

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

124 (2) (a) An existing or planned hospital district seeking
125 authorization or reauthorization to levy a property tax after
126 health care coverage is provided by federal, state, or local
127 government via Medicaid or other government-subsidized funding
128 for residents with an approximate income of up to the level of
129 income necessary to qualify for a subsidy on the health
130 insurance exchange shall arrange to place on the next general

131 election ballot of the electors residing within the hospital
 132 district, whether the district includes an entire county or a
 133 portion of a county, the following question: "While health care
 134 coverage is available via Medicaid or other government-
 135 subsidized funding for residents with an approximate income of
 136 up to the level of income necessary to qualify for a subsidy on
 137 the health insurance exchange, shall the taxing authority of the
 138 ...(name of hospital district)... be authorized to levy a tax of
 139 ...(amount of tax not to exceed 2 mills)... to fund indigent
 140 care for residents of the taxing district?" and thereafter the
 141 words "Yes" and "No."

142 (b) If a majority of the electors voting approve the
 143 ballot question, the provisions of this act regarding
 144 reauthorization shall apply to the hospital district and its
 145 taxing authority.

146 (3) Taxes generated by an independent special hospital
 147 taxing district within a community redevelopment area shall be
 148 paid to the hospital taxing district and not the community
 149 redevelopment area.

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