

**By** the Committees on Appropriations; and Community Affairs; and  
Senator Stargel

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1                   A bill to be entitled  
2       An act relating to government accountability; amending  
3       s. 11.40, F.S.; requiring, rather than authorizing,  
4       the Legislative Auditing Committee to schedule  
5       hearings concerning certain governmental entities for  
6       failure to comply with certain financial audit  
7       requirements; amending s. 11.45, F.S.; defining the  
8       terms "abuse," "fraud," and "waste"; revising  
9       definitions; excluding water management districts from  
10      certain audit requirements; removing a cross-  
11      reference; authorizing the Auditor General to conduct  
12      audits of tourist development councils and county  
13      tourism promotion agencies; revising reporting  
14      requirements applicable to the Auditor General;  
15      amending s. 28.35, F.S.; revising reporting  
16      requirements applicable to the Florida Clerks of Court  
17      Operations Corporation; amending s. 43.16, F.S.;  
18      revising the responsibilities of the Justice  
19      Administrative Commission, each state attorney, each  
20      public defender, the criminal conflict and civil  
21      regional counsel, the capital collateral regional  
22      counsel, and the Guardian Ad Litem Program, to include  
23      the establishment and maintenance of certain internal  
24      controls; amending s. 112.061, F.S.; revising certain  
25      lodging rates for the purpose of reimbursement to  
26      specified employees; authorizing an employee to expend  
27      his or her funds for certain lodging expenses;  
28      authorizing the Department of Management Services to  
29      adopt rules for specified purposes; providing

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30 definitions; requiring executive branch state  
31 government agencies and the judicial branch to report  
32 certain travel information of public officers and  
33 employees in the statewide travel management system;  
34 requiring executive branch state government agencies  
35 and the judicial branch to use the statewide travel  
36 management system for certain purposes; requiring the  
37 Department of Management Services to make certain  
38 travel reports available to the public by a specified  
39 date; prescribing reporting requirements for the  
40 statewide travel management system for certain  
41 reporting entities; specifying that certain reporting  
42 requirements are contingent upon funding by the  
43 Legislature; specifying that travel reports may not  
44 reveal information confidential and exempt or exempt  
45 from public records requirements; providing for the  
46 redaction of such information from travel reports;  
47 specifying that the Secretary of Management Services  
48 or an officer, an employee, or a contractor of the  
49 department is not responsible for redacting such  
50 portions of travel reports; providing for  
51 construction; amending ss. 129.03, 129.06, and  
52 166.241, F.S.; requiring counties and municipalities  
53 to maintain certain budget documents on the entities'  
54 websites for a specified period; requiring county and  
55 municipality budget officers to submit certain budget  
56 information to specified entities within a certain  
57 timeframe; amending s. 189.016, F.S.; requiring  
58 special district budget officers to submit certain

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59 budget information to specified entities within a  
60 certain timeframe; amending s. 215.86, F.S.; revising  
61 the purposes for which management systems and internal  
62 controls must be established and maintained by each  
63 state agency and the judicial branch; amending s.  
64 215.97, F.S.; revising certain audit threshold  
65 requirements; amending s. 215.985, F.S.; revising the  
66 requirements for a monthly financial statement  
67 provided by a water management district; amending s.  
68 218.32, F.S.; revising certain reporting deadlines for  
69 an audit report and annual financial report of certain  
70 local governmental entities; providing an exception  
71 for certain charter counties; prescribing duties of an  
72 independent certified public accountant in conducting  
73 an audit; providing legislative intent regarding the  
74 establishment of the Florida Open Financial Statement  
75 System; authorizing the Chief Financial Officer to  
76 consult with certain stakeholders for input on the  
77 design and implementation of the system; specifying  
78 requirements and procedures for the Chief Financial  
79 Officer in selecting and recruiting contractors for  
80 certain purposes; requiring the Chief Financial  
81 Officer to require completion of all work by a  
82 specified date; providing that if the Chief Financial  
83 Officer deems work products adequate, all local  
84 governmental financial statements pertaining to fiscal  
85 years ending on or after a specified date must meet  
86 certain requirements; providing for the suspension of  
87 salary payments to the head of a local governmental

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88 entity that does not submit certain financial  
89 information; authorizing the Department of Financial  
90 Services to request additional information from a  
91 local governmental entity under certain circumstances;  
92 requiring a local governmental entity to comply with  
93 such requests within a specified timeframe; requiring  
94 the department to notify the Legislative Auditing  
95 Committee of noncompliance; authorizing the committee  
96 to take certain action; requiring the department to  
97 post annual financial reports for certain governmental  
98 entities on its website within a specified timeframe;  
99 amending s. 218.33, F.S.; requiring local governmental  
100 entities to establish and maintain internal controls  
101 to achieve specified purposes; amending s. 218.39,  
102 F.S.; requiring municipalities and special districts  
103 to have a certain audit performed beginning with a  
104 specified fiscal year; revising the deadline for an  
105 audit report; providing an exception; requiring the  
106 governing body of an audited entity to respond to  
107 audit recommendations under specified circumstances;  
108 amending s. 218.391, F.S.; revising membership for  
109 audit committees; prohibiting an employee, a chief  
110 executive officer, or a chief financial officer of the  
111 respective governmental entity from serving as a  
112 voting member of an audit committee; requiring an  
113 auditor to include certain information in a management  
114 letter; requiring the chair of a governmental entity's  
115 governing body to submit an affidavit containing  
116 certain information when the entity contracts with an

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117 auditor to conduct an audit; providing requirements  
118 and procedures for selecting an auditor; requiring the  
119 Legislative Auditing Committee to determine whether a  
120 governmental entity should be subject to state action  
121 under certain circumstances; amending s. 286.0114,  
122 F.S.; prohibiting a board or commission from requiring  
123 an advance copy of testimony or comments from a member  
124 of the public as a precondition to being given the  
125 opportunity to be heard at a public meeting; amending  
126 s. 373.536, F.S.; deleting obsolete language;  
127 requiring water management districts to maintain  
128 certain budget documents on the districts' websites  
129 for a specified period; requiring district budget  
130 officers to submit certain budget information to  
131 specified entities within a certain timeframe;  
132 providing for the suspension of salary payments of a  
133 district executive director if the district does not  
134 submit such information; amending s. 1001.42, F.S.;

135 authorizing district school board members to request  
136 and receive specified budget information; requiring  
137 employment of internal auditors in certain school  
138 districts; revising provisions relating to the scope  
139 of such internal auditors; amending s. 1002.33, F.S.;

140 revising the responsibilities of the governing board  
141 of a charter school to include the establishment and  
142 maintenance of internal controls; amending s. 1002.37,  
143 F.S.; requiring completion of an annual financial  
144 audit of the Florida Virtual School; specifying audit  
145 requirements; requiring an audit report to be

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146 submitted to the board of trustees of the Florida  
147 Virtual School and the Auditor General; deleting  
148 obsolete provisions; amending s. 1010.01, F.S.;  
149 requiring each school district, Florida College System  
150 institution, and state university to establish and  
151 maintain certain internal controls; amending s.  
152 1010.30, F.S.; requiring a district school board,  
153 Florida College System institution board of trustees,  
154 or university board of trustees to respond to audit  
155 recommendations under certain circumstances; amending  
156 s. 1011.03, F.S.; requiring a district school board's  
157 budget officer to submit certain budget information to  
158 specified entities within a certain timeframe;  
159 providing for suspension of salary payments for a  
160 superintendent of a district that does not submit such  
161 information; amending s. 1011.60, F.S.; requiring  
162 district school boards that submit an annual financial  
163 report to the Department of Education to also  
164 electronically submit a copy to the clerk of the  
165 court; requiring the Office of Economic and  
166 Demographic Research to develop, by a specified date,  
167 certain forms for use by local governmental entities  
168 in reporting certain budget information; requiring the  
169 office to submit a report to the Legislature by a  
170 specified date; providing requirements for the report;  
171 amending ss. 165.0615, 189.066, 189.069, 189.074, and  
172 218.503, F.S.; conforming provisions and cross-  
173 references to changes made by the act; declaring that  
174 the act fulfills an important state interest;

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175 providing an effective date.

176  
177 Be It Enacted by the Legislature of the State of Florida:

178  
179 Section 1. Subsection (2) of section 11.40, Florida  
180 Statutes, is amended to read:

181 11.40 Legislative Auditing Committee.—

182 (2) Following notification by the Auditor General, the  
183 Department of Financial Services, ~~or~~ the Division of Bond  
184 Finance of the State Board of Administration, the Governor or  
185 his or her designee, or the Commissioner of Education or his or  
186 her designee of the failure of a local governmental entity,  
187 district school board, charter school, or charter technical  
188 career center to comply with the applicable provisions within s.  
189 11.45(5)-(7), s. 218.32(1), s. 218.38, or s. 218.503(3), the  
190 Legislative Auditing Committee shall ~~may~~ schedule a hearing to  
191 determine if the entity should be subject to further state  
192 action. If the committee determines that the entity should be  
193 subject to further state action, the committee shall:

194 (a) In the case of a local governmental entity or district  
195 school board, direct the Department of Revenue and the  
196 Department of Financial Services to withhold any funds not  
197 pledged for bond debt service satisfaction which are payable to  
198 such entity until the entity complies with the law. The  
199 committee shall specify the date that such action must ~~shall~~  
200 begin, and the directive must be received by the Department of  
201 Revenue and the Department of Financial Services 30 days before  
202 the date of the distribution mandated by law. The Department of  
203 Revenue and the Department of Financial Services may implement

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204 ~~the provisions of~~ this paragraph.

205 (b) In the case of a special district created by:

206 1. A special act, notify the President of the Senate, the  
207 Speaker of the House of Representatives, the standing committees  
208 of the Senate and the House of Representatives charged with  
209 special district oversight as determined by the presiding  
210 officers of each respective chamber, the legislators who  
211 represent a portion of the geographical jurisdiction of the  
212 special district, and the Department of Economic Opportunity  
213 that the special district has failed to comply with the law.  
214 Upon receipt of notification, the Department of Economic  
215 Opportunity shall proceed pursuant to s. 189.062 or s. 189.067.  
216 If the special district remains in noncompliance after the  
217 process set forth in s. 189.0651, or if a public hearing is not  
218 held, the Legislative Auditing Committee may request the  
219 department to proceed pursuant to s. 189.067(3).

220 2. A local ordinance, notify the chair or equivalent of the  
221 local general-purpose government pursuant to s. 189.0652 and the  
222 Department of Economic Opportunity that the special district has  
223 failed to comply with the law. Upon receipt of notification, the  
224 department shall proceed pursuant to s. 189.062 or s. 189.067.  
225 If the special district remains in noncompliance after the  
226 process set forth in s. 189.0652, or if a public hearing is not  
227 held, the Legislative Auditing Committee may request the  
228 department to proceed pursuant to s. 189.067(3).

229 3. Any manner other than a special act or local ordinance,  
230 notify the Department of Economic Opportunity that the special  
231 district has failed to comply with the law. Upon receipt of  
232 notification, the department shall proceed pursuant to s.



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233 189.062 or s. 189.067(3).

234 (c) In the case of a charter school or charter technical  
235 career center, notify the appropriate sponsoring entity, which  
236 may terminate the charter pursuant to ss. 1002.33 and 1002.34.

237 Section 2. Subsection (1), paragraph (j) of subsection (2),  
238 paragraph (u) of subsection (3), and paragraphs (f) and (i) of  
239 subsection (7) of section 11.45, Florida Statutes, are amended,  
240 and paragraph (y) is added to subsection (3) of that section, to  
241 read:

242 11.45 Definitions; duties; authorities; reports; rules.—

243 (1) DEFINITIONS.—As used in ss. 11.40-11.51, the term:

244 (a) "Abuse" means behavior that is deficient or improper  
245 when compared with behavior that a prudent person would consider  
246 a reasonable and necessary operational practice given the facts  
247 and circumstances. The term includes the misuse of authority or  
248 position for personal gain.

249 (b) ~~(a)~~ "Audit" means a financial audit, operational audit,  
250 or performance audit.

251 (c) ~~(b)~~ "County agency" means a board of county  
252 commissioners or other legislative and governing body of a  
253 county, however styled, including that of a consolidated or  
254 metropolitan government, a clerk of the circuit court, a  
255 separate or ex officio clerk of the county court, a sheriff, a  
256 property appraiser, a tax collector, a supervisor of elections,  
257 or any other officer in whom any portion of the fiscal duties of  
258 a body or officer expressly stated in this paragraph are the  
259 ~~above are under law~~ separately placed by law.

260 (d) ~~(c)~~ "Financial audit" means an examination of financial  
261 statements in order to express an opinion on the fairness with

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262 which they are presented in conformity with generally accepted  
263 accounting principles and an examination to determine whether  
264 operations are properly conducted in accordance with legal and  
265 regulatory requirements. Financial audits must be conducted in  
266 accordance with auditing standards generally accepted in the  
267 United States and government auditing standards as adopted by  
268 the Board of Accountancy. When applicable, the scope of  
269 financial audits must ~~shall~~ encompass the additional activities  
270 necessary to establish compliance with the Single Audit Act  
271 Amendments of 1996, 31 U.S.C. ss. 7501-7507, and other  
272 applicable federal law.

273 (e) "Fraud" means obtaining something of value through  
274 willful misrepresentation, including, but not limited to, the  
275 intentional misstatements or intentional omissions of amounts or  
276 disclosures in financial statements to deceive users of  
277 financial statements, theft of an entity's assets, bribery, or  
278 the use of one's position for personal enrichment through the  
279 deliberate misuse or misapplication of an organization's  
280 resources.

281 (f)~~(d)~~ "Governmental entity" means a state agency, a county  
282 agency, or any other entity, however styled, that independently  
283 exercises any type of state or local governmental function.

284 (g)~~(e)~~ "Local governmental entity" means a county agency,  
285 municipality, tourist development council, county tourism  
286 promotion agency, or special district as defined in s. 189.012.  
287 The term, ~~but~~ does not include any housing authority established  
288 under chapter 421.

289 (h)~~(f)~~ "Management letter" means a statement of the  
290 auditor's comments and recommendations.

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291        (i)~~(g)~~ "Operational audit" means an audit whose purpose is  
292 to evaluate management's performance in establishing and  
293 maintaining internal controls, including controls designed to  
294 prevent and detect fraud, waste, and abuse, and in administering  
295 assigned responsibilities in accordance with applicable laws,  
296 administrative rules, contracts, grant agreements, and other  
297 guidelines. Operational audits must be conducted in accordance  
298 with government auditing standards. Such audits examine internal  
299 controls that are designed and placed in operation to promote  
300 and encourage the achievement of management's control objectives  
301 in the categories of compliance, economic and efficient  
302 operations, reliability of financial records and reports, and  
303 safeguarding of assets, and identify weaknesses in those  
304 internal controls.

305        (j)~~(h)~~ "Performance audit" means an examination of a  
306 program, activity, or function of a governmental entity,  
307 conducted in accordance with applicable government auditing  
308 standards or auditing and evaluation standards of other  
309 appropriate authoritative bodies. The term includes an  
310 examination of issues related to:

- 311            1. Economy, efficiency, or effectiveness of the program.
- 312            2. Structure or design of the program to accomplish its  
313 goals and objectives.
- 314            3. Adequacy of the program to meet the needs identified by  
315 the Legislature or governing body.
- 316            4. Alternative methods of providing program services or  
317 products.
- 318            5. Goals, objectives, and performance measures used by the  
319 agency to monitor and report program accomplishments.

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320 6. The accuracy or adequacy of public documents, reports,  
321 or requests prepared under the program by state agencies.

322 7. Compliance of the program with appropriate policies,  
323 rules, or laws.

324 8. Any other issues related to governmental entities as  
325 directed by the Legislative Auditing Committee.

326 (k)~~(i)~~ "Political subdivision" means a separate agency or  
327 unit of local government created or established by law and  
328 includes, but is not limited to, the following and the officers  
329 thereof: authority, board, branch, bureau, city, commission,  
330 consolidated government, county, department, district,  
331 institution, metropolitan government, municipality, office,  
332 officer, public corporation, town, or village.

333 (l)~~(j)~~ "State agency" means a separate agency or unit of  
334 state government created or established by law and includes, but  
335 is not limited to, the following and the officers thereof:  
336 authority, board, branch, bureau, commission, department,  
337 division, institution, office, officer, or public corporation,  
338 as the case may be, except any such agency or unit within the  
339 legislative branch of state government other than the Florida  
340 Public Service Commission.

341 (m) "Waste" means the act of using or expending resources  
342 unreasonably, carelessly, extravagantly, or for no useful  
343 purpose.

344 (2) DUTIES.—The Auditor General shall:

345 (j) Conduct audits of local governmental entities when  
346 determined to be necessary by the Auditor General, when directed  
347 by the Legislative Auditing Committee, or when otherwise  
348 required by law. No later than 18 months after the release of

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349 the audit report, the Auditor General shall perform such  
 350 appropriate followup procedures as he or she deems necessary to  
 351 determine the audited entity's progress in addressing the  
 352 findings and recommendations contained within the Auditor  
 353 General's previous report. The Auditor General shall notify each  
 354 member of the audited entity's governing body and the  
 355 Legislative Auditing Committee of the results of his or her  
 356 determination. For purposes of this paragraph, local  
 357 governmental entities do not include water management districts.

358

359 The Auditor General shall perform his or her duties  
 360 independently but under the general policies established by the  
 361 Legislative Auditing Committee. This subsection does not limit  
 362 the Auditor General's discretionary authority to conduct other  
 363 audits or engagements of governmental entities as authorized in  
 364 subsection (3).

365 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The Auditor  
 366 General may, pursuant to his or her own authority, or at the  
 367 direction of the Legislative Auditing Committee, conduct audits  
 368 or other engagements as determined appropriate by the Auditor  
 369 General of:

370 (u) The Florida Virtual School ~~pursuant to s. 1002.37.~~

371 (y) Tourist development councils and county tourism  
 372 promotion agencies.

373 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

374 (f) The Auditor General shall annually compile and transmit  
 375 to the President of the Senate, the Speaker of the House of  
 376 Representatives, and the Legislative Auditing Committee a  
 377 summary of significant findings and financial trends identified

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378 in audit reports reviewed in paragraph (b) or otherwise  
379 identified by the Auditor General's review of such audit reports  
380 and financial information, and identified in audits of district  
381 school boards conducted by the Auditor General. The Auditor  
382 General shall include financial information provided pursuant to  
383 s. 218.32(1)(f) ~~s. 218.32(1)(e)~~ for entities with fiscal years  
384 ending on or after June 30, 2003, within his or her reports  
385 submitted pursuant to this paragraph.

386 (i) The Auditor General shall annually transmit by July 15,  
387 to the President of the Senate, the Speaker of the House of  
388 Representatives, and the Department of Financial Services, a  
389 list of all school districts, charter schools, charter technical  
390 career centers, Florida College System institutions, state  
391 universities, and local governmental entities ~~water management~~  
392 ~~districts~~ that have failed to comply with the transparency  
393 requirements as identified in the audit reports reviewed  
394 pursuant to paragraph (b) and those conducted pursuant to  
395 subsection (2).

396 Section 3. Paragraph (d) of subsection (2) of section  
397 28.35, Florida Statutes, is amended to read:

398 28.35 Florida Clerks of Court Operations Corporation.-

399 (2) The duties of the corporation shall include the  
400 following:

401 (d) Developing and certifying a uniform system of workload  
402 measures and applicable workload standards for court-related  
403 functions as developed by the corporation and clerk workload  
404 performance in meeting the workload performance standards. These  
405 workload measures and workload performance standards shall be  
406 designed to facilitate an objective determination of the

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407 performance of each clerk in accordance with minimum standards  
408 for fiscal management, operational efficiency, and effective  
409 collection of fines, fees, service charges, and court costs. The  
410 corporation shall develop the workload measures and workload  
411 performance standards in consultation with the Legislature. When  
412 the corporation finds a clerk has not met the workload  
413 performance standards, the corporation shall identify the nature  
414 of each deficiency and any corrective action recommended and  
415 taken by the affected clerk of the court. For quarterly periods  
416 ending on the last day of March, June, September, and December  
417 of each year, the corporation shall notify the Legislature of  
418 any clerk not meeting workload performance standards and provide  
419 a copy of any corrective action plans. Such notifications shall  
420 be submitted no later than 45 days after the end of the  
421 preceding quarterly period. As used in this subsection, the  
422 term:

423 1. "Workload measures" means the measurement of the  
424 activities and frequency of the work required for the clerk to  
425 adequately perform the court-related duties of the office as  
426 defined by the membership of the Florida Clerks of Court  
427 Operations Corporation.

428 2. "Workload performance standards" means the standards  
429 developed to measure the timeliness and effectiveness of the  
430 activities that are accomplished by the clerk in the performance  
431 of the court-related duties of the office as defined by the  
432 membership of the Florida Clerks of Court Operations  
433 Corporation.

434 Section 4. Present subsections (6) and (7) of section  
435 43.16, Florida Statutes, are renumbered as subsections (7) and

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436 (8), respectively, and a new subsection (6) is added to that  
437 section, to read:

438 43.16 Justice Administrative Commission; membership, powers  
439 and duties.—

440 (6) The commission, each state attorney, each public  
441 defender, the criminal conflict and civil regional counsel, the  
442 capital collateral regional counsel, and the Guardian Ad Litem  
443 Program shall establish and maintain internal controls designed  
444 to:

445 (a) Prevent and detect fraud, waste, and abuse as defined  
446 in s. 11.45(1).

447 (b) Promote and encourage compliance with applicable laws,  
448 rules, contracts, grant agreements, and best practices.

449 (c) Support economical and efficient operations.

450 (d) Ensure reliability of financial records and reports.

451 (e) Safeguard assets.

452 Section 5. Subsection (6) of section 112.061, Florida  
453 Statutes, is amended, paragraph (c) is added to subsection (9)  
454 of that section, and subsection (16) is added to that section,  
455 to read:

456 112.061 Per diem and travel expenses of public officers,  
457 employees, and authorized persons.—

458 (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.—For  
459 purposes of reimbursement rates and methods of calculation, per  
460 diem and subsistence allowances are provided as follows:

461 (a) All travelers shall be allowed for subsistence when  
462 traveling to a convention or conference or when traveling within  
463 or outside the state in order to conduct bona fide state  
464 business, which convention, conference, or business serves a



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465 direct and lawful public purpose with relation to the public  
466 agency served by the person attending such meeting or conducting  
467 such business, either of the following for each day of such  
468 travel at the option of the traveler:

- 469 1. Eighty dollars per diem; or
- 470 2. If actual expenses exceed \$80, the amounts permitted in  
471 paragraph (b) for subsistence, plus actual expenses for lodging  
472 at a single-occupancy rate, except as provided in paragraph (c),  
473 to be substantiated by paid bills therefor.

474  
475 When lodging or meals are provided at a state institution, the  
476 traveler shall be reimbursed only for the actual expenses of  
477 such lodging or meals, not to exceed the maximum provided for in  
478 this subsection.

479 (b) All travelers shall be allowed the following amounts  
480 for subsistence while on Class C travel on official business as  
481 provided in paragraph (5) (b):

- 482 1. Breakfast.....\$6
- 483 2. Lunch.....\$11
- 484 3. Dinner.....\$19

485 (c) Actual expenses for lodging associated with the  
486 attendance of an employee of a state agency or the judicial  
487 branch at a meeting, conference, or convention organized or  
488 sponsored in whole or in part by a state agency or the judicial  
489 branch may not exceed \$150 per day. However, an employee may  
490 expend his or her own funds for any lodging expenses that exceed  
491 \$150 per day. For purposes of this paragraph, a meeting does not  
492 include travel activities for conducting an audit, examination,  
493 inspection, or investigation or travel activities related to a

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494 litigation or emergency response.

495 (d)~~(e)~~ No one, whether traveling out of state or in state,  
496 shall be reimbursed for any meal or lodging included in a  
497 convention or conference registration fee paid by the state.

498 (9) RULES.—

499 (c) The Department of Management Services may adopt rules  
500 to administer the provisions of this section relating to the  
501 statewide travel management system.

502 (16) STATEWIDE TRAVEL MANAGEMENT SYSTEM.—

503 (a) For purposes of this subsection, the term:

504 1. "Local constitutional officer" includes sheriffs, tax  
505 collectors, property appraisers, supervisors of elections,  
506 clerks of the circuit court, county commissioners, district  
507 school board members, and superintendents of schools.

508 2. "Reporting entity" includes each municipality, county,  
509 local constitutional officer, county school district, state  
510 college, state university, and water management district.

511 3. "Statewide travel management system" means the system  
512 used by the Department of Management Services to:

513 a. Collect and store information relating to public officer  
514 or employee travel information.

515 b. Standardize and automate agency travel management.

516 c. Allow for travel planning and approval, expense  
517 reporting, and reimbursement.

518 d. Allow travel information queries.

519 (b) Each executive branch state government agency and the  
520 judicial branch must report in the statewide travel management  
521 system all public officer and employee travel information,  
522 including, but not limited to, name and position title, purpose

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523 of travel, dates and location of travel, mode of travel,  
524 confirmation from the head of the agency or designee  
525 authorization if required, and total travel cost.

526 1. Each executive branch state government agency and the  
527 judicial branch must use the statewide travel management system  
528 for purposes of travel authorization and reimbursement.

529 2. By November 1, 2018, the Department of Management  
530 Services shall make available to the public all travel reports  
531 posted on the statewide travel management system for executive  
532 branch state government agencies and the judicial branch.

533 (c) Each reporting entity must post on the statewide travel  
534 management system information relating to all travel resulting  
535 in an overnight stay for public officers and employees,  
536 including, but not limited to, name and position title, purpose  
537 of travel, dates and location of travel, mode of travel, and  
538 total travel costs.

539 1. Each reporting entity shall post one travel report per  
540 entity. A local constitutional officer may post a separate  
541 travel report from the respective county travel report.

542 2. Every month, each reporting entity shall post a travel  
543 report for the previous month.

544 3. The Department of Management Services shall provide a  
545 format and method for reporting entities to post travel reports.

546 4. No later than November 1, 2019, each reporting entity  
547 shall post monthly travel reports relating to all travel  
548 resulting in an overnight stay for public officers and  
549 employees.

550 5. Beginning December 1, 2019, the Department of Management  
551 Services shall make available to the public all travel reports

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552 for reporting entities which are in the statewide travel  
553 management system.

554 6. The requirements of this paragraph are contingent upon  
555 the Legislature appropriating at least \$5.4 million to the  
556 Department of Management Services for the 2018-2019 fiscal year  
557 to implement the system for the reporting entities.

558 (d) Travel reports made available on the statewide travel  
559 management system may not reveal information made confidential  
560 and exempt or exempt by law.

561 1. A reporting entity must redact confidential and exempt  
562 or exempt information from a travel report before posting the  
563 report on the statewide travel management system. If the  
564 reporting entity becomes aware that an improperly redacted  
565 travel report has been posted, the entity must notify the  
566 Department of Management Services and immediately request  
567 removal of the travel report from the statewide travel  
568 management system. Within 7 business days of becoming aware that  
569 an improperly redacted travel report has been posted, the entity  
570 must post a properly redacted travel report on the statewide  
571 travel management system.

572 2. The Secretary of Management Services or an officer, an  
573 employee, or a contractor of the department is not responsible  
574 for redacting confidential and exempt or exempt information from  
575 a travel report posted on the statewide travel management  
576 system.

577 3. The posting of travel reports on the statewide travel  
578 management system or the provision of information on a website  
579 for public viewing and downloading does not supersede the duty  
580 of a reporting entity to respond to a public records request or

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581 subpoena for the information.

582 Section 6. Paragraph (c) of subsection (3) of section  
583 129.03, Florida Statutes, is amended, and paragraph (d) is added  
584 to that subsection, to read:

585 129.03 Preparation and adoption of budget.—

586 (3) The county budget officer, after tentatively  
587 ascertaining the proposed fiscal policies of the board for the  
588 next fiscal year, shall prepare and present to the board a  
589 tentative budget for the next fiscal year for each of the funds  
590 provided in this chapter, including all estimated receipts,  
591 taxes to be levied, and balances expected to be brought forward  
592 and all estimated expenditures, reserves, and balances to be  
593 carried over at the end of the year.

594 (c) The board shall hold public hearings to adopt tentative  
595 and final budgets pursuant to s. 200.065. The hearings shall be  
596 primarily for the purpose of hearing requests and complaints  
597 from the public regarding the budgets and the proposed tax  
598 levies and for explaining the budget and any proposed or adopted  
599 amendments. The tentative budget must be posted on the county's  
600 official website at least 2 days before the public hearing to  
601 consider such budget and must remain on the website for at least  
602 45 days. The final budget must be posted on the website within  
603 30 days after adoption and must remain on the website for at  
604 least 2 years. The tentative budgets, adopted tentative budgets,  
605 and final budgets shall be filed in the office of the county  
606 auditor as a public record. Sufficient reference in words and  
607 figures to identify the particular transactions must ~~shall~~ be  
608 made in the minutes of the board to record its actions with  
609 reference to the budgets.

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610 (d)1. Beginning in the 2018-2019 fiscal year, the county  
611 budget officer shall electronically submit information regarding  
612 the final budget to the Office of Economic and Demographic  
613 Research in the format specified by the office within 30 days  
614 after adoption of the final budget. If the Governor declares a  
615 state of emergency pursuant to s. 252.36(2) within 30 days after  
616 the submission deadline, the office may extend the deadline up  
617 to an additional 90 days.

618 2. The county budget officer shall also electronically  
619 submit to the clerk of the court:

620 a. A copy of the information that was submitted to the  
621 office.

622 b. A copy of the final budget that was posted on the  
623 county's website.

624 c. A statement certifying that the items in sub-  
625 paragraphs a. and b. were timely submitted and posted.

626 3. Subparagraph 2. does not apply to a charter county in  
627 which the clerk of the court is not the county auditor.

628 Section 7. Paragraph (f) of subsection (2) of section  
629 129.06, Florida Statutes, is amended to read:

630 129.06 Execution and amendment of budget.—

631 (2) The board at any time within a fiscal year may amend a  
632 budget for that year, and may within the first 60 days of a  
633 fiscal year amend the budget for the prior fiscal year, as  
634 follows:

635 (f) Unless otherwise prohibited by law, if an amendment to  
636 a budget is required for a purpose not specifically authorized  
637 in paragraphs (a)-(e), the amendment may be authorized by  
638 resolution or ordinance of the board of county commissioners

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639 adopted following a public hearing.

640 1. The public hearing must be advertised at least 2 days,  
641 but not more than 5 days, before the date of the hearing. The  
642 advertisement must appear in a newspaper of paid general  
643 circulation and must identify the name of the taxing authority,  
644 the date, place, and time of the hearing, and the purpose of the  
645 hearing. The advertisement must also identify each budgetary  
646 fund to be amended, the source of the funds, the use of the  
647 funds, and the total amount of each fund's appropriations.

648 2. If the board amends the budget pursuant to this  
649 paragraph, the adopted amendment must be posted on the county's  
650 official website within 5 days after adoption and must remain on  
651 the website for at least 2 years.

652 Section 8. Present subsections (4) and (5) of section  
653 166.241, Florida Statutes, are renumbered as subsections (5) and  
654 (6), respectively, subsection (3) and present subsection (5) are  
655 amended, and a new subsection (4) is added to that section, to  
656 read:

657 166.241 Fiscal years, budgets, and budget amendments.—

658 (3) The tentative budget must be posted on the  
659 municipality's official website at least 2 days before the  
660 budget hearing, held pursuant to s. 200.065 or other law, to  
661 consider such budget and must remain on the website for at least  
662 45 days. The final adopted budget must be posted on the  
663 municipality's official website within 30 days after adoption  
664 and must remain on the website for at least 2 years. If the  
665 municipality does not operate an official website, the  
666 municipality must, within a reasonable period of time as  
667 established by the county or counties in which the municipality

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668 is located, transmit the tentative budget and final budget to  
669 the manager or administrator of such county or counties who  
670 shall post the budgets on the county's website.

671 (4) Beginning in the 2018-2019 fiscal year, the  
672 municipality budget officer shall electronically submit  
673 information regarding the final budget to the Office of Economic  
674 and Demographic Research in the format specified by the office  
675 within 30 days after adoption of the final budget. If the  
676 Governor declares a state of emergency pursuant to s. 252.36(2)  
677 within 30 days after the submission deadline, the office may  
678 extend the deadline up to an additional 90 days. The  
679 municipality budget officer shall also electronically submit to  
680 the clerk of the court:

681 (a) A copy of the information that was submitted to the  
682 office.

683 (b) A copy of the final budget that was posted on the  
684 municipality's website.

685 (c) A statement certifying that the items in paragraphs (a)  
686 and (b) were timely submitted and posted.

687 (6)~~(5)~~ If the governing body of a municipality amends the  
688 budget pursuant to paragraph (5) (c) ~~(4) (e)~~, the adopted  
689 amendment must be posted on the official website of the  
690 municipality within 5 days after adoption and must remain on the  
691 website for at least 2 years. If the municipality does not  
692 operate an official website, the municipality must, within a  
693 reasonable period of time as established by the county or  
694 counties in which the municipality is located, transmit the  
695 adopted amendment to the manager or administrator of such county  
696 or counties who shall post the adopted amendment on the county's



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697 website.

698 Section 9. Present subsections (5) through (10) of section  
699 189.016, Florida Statutes, are renumbered as subsections (6)  
700 through (11), respectively, present subsections (7) and (10) are  
701 amended, and a new subsection (5) is added to that section, to  
702 read:

703 189.016 Reports; budgets; audits.—

704 (5) Beginning in the 2018-2019 fiscal year, the special  
705 district budget officer shall electronically submit information  
706 regarding the final budget to the Office of Economic and  
707 Demographic Research in the format specified by the office  
708 within 30 days after adoption of the final budget. If the  
709 Governor declares a state of emergency under s. 252.36(2) within  
710 30 days after the submission deadline for the final budget, the  
711 office may extend the deadline up to an additional 90 days. The  
712 special district budget officer shall also electronically submit  
713 to the clerk of the court:

714 (a) A copy of the information that was submitted to the  
715 office.

716 (b) A copy of the final budget that was posted on the  
717 special district's website.

718 (c) A statement certifying that the items in paragraphs (a)  
719 and (b) were timely submitted and posted.

720 (8)~~(7)~~ If the governing body of a special district amends  
721 the budget pursuant to paragraph (7) (c) ~~(6)~~(e), the adopted  
722 amendment must be posted on the official website of the special  
723 district within 5 days after adoption and must remain on the  
724 website for at least 2 years.

725 (11)~~(10)~~ All reports or information required to be filed

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726 with a local general-purpose government or governing authority  
 727 under ss. 189.014, 189.015, and 189.08 and subsection (9) ~~(8)~~  
 728 must:

729 (a) If the local general-purpose government or governing  
 730 authority is a county, be filed with the clerk of the board of  
 731 county commissioners.

732 (b) If the district is a multicounty district, be filed  
 733 with the clerk of the county commission in each county.

734 (c) If the local general-purpose government or governing  
 735 authority is a municipality, be filed at the place designated by  
 736 the municipal governing body.

737 Section 10. Section 215.86, Florida Statutes, is amended to  
 738 read:

739 215.86 Management systems and controls.—Each state agency  
 740 and the judicial branch as defined in s. 216.011 shall establish  
 741 and maintain management systems and internal controls designed  
 742 to:

743 (1) Prevent and detect fraud, waste, and abuse as defined  
 744 in s. 11.45(1). ~~that~~

745 (2) Promote and encourage compliance with applicable laws,  
 746 rules, contracts, and grant agreements. ~~†~~

747 (3) Support economical and ~~economic,~~ efficient, ~~and~~  
 748 effective operations. ~~†~~

749 (4) Ensure reliability of financial records and reports. ~~†~~

750 (5) Safeguard and ~~safeguarding of~~ assets. Accounting  
 751 systems and procedures shall be designed to fulfill the  
 752 requirements of generally accepted accounting principles.

753 Section 11. Paragraph (a) of subsection (2) of section  
 754 215.97, Florida Statutes, is amended to read:

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755 215.97 Florida Single Audit Act.—

756 (2) As used in this section, the term:

757 (a) "Audit threshold" means the threshold amount used to  
758 determine when a state single audit or project-specific audit of  
759 a nonstate entity shall be conducted in accordance with this  
760 section. Each nonstate entity that expends a total amount of  
761 state financial assistance equal to or in excess of \$750,000 in  
762 any fiscal year of such nonstate entity shall be required to  
763 have a state single audit, or a project-specific audit, for such  
764 fiscal year in accordance with the requirements of this section.  
765 ~~Every 2 years the Auditor General,~~ After consulting with the  
766 Executive Office of the Governor, the Department of Financial  
767 Services, and all state awarding agencies, the Auditor General  
768 shall periodically review the threshold amount for requiring  
769 audits under this section and may recommend any appropriate  
770 statutory change to revise the threshold amount in the annual  
771 report submitted pursuant to s. 11.45(7)(h) to the Legislature  
772 ~~adjust such threshold amount consistent with the purposes of~~  
773 ~~this section.~~

774 Section 12. Subsection (11) of section 215.985, Florida  
775 Statutes, is amended to read:

776 215.985 Transparency in government spending.—

777 (11) Each water management district shall provide a monthly  
778 financial statement in the form and manner prescribed by the  
779 Department of Financial Services to the district's its governing  
780 board and make such monthly financial statement available for  
781 public access on its website.

782 Section 13. Section 218.32, Florida Statutes, is amended to  
783 read:

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784 218.32 Annual financial reports; local governmental  
785 entities; Florida Open Financial Statement System.—

786 (1) (a) Each local governmental entity that is determined to  
787 be a reporting entity, as defined by generally accepted  
788 accounting principles, and each independent special district as  
789 defined in s. 189.012, shall submit to the department a copy of  
790 its annual financial report for the previous fiscal year in a  
791 format prescribed by the department. The annual financial report  
792 must include a list of each local governmental entity included  
793 in the report and each local governmental entity that failed to  
794 provide financial information as required by paragraph (b). The  
795 chair of the governing body and the chief financial officer of  
796 each local governmental entity shall sign the annual financial  
797 report submitted pursuant to this subsection attesting to the  
798 accuracy of the information included in the report. The county  
799 annual financial report must be a single document that covers  
800 each county agency.

801 (b) Each component unit, as defined by generally accepted  
802 accounting principles, of a local governmental entity shall  
803 provide the local governmental entity, within a reasonable time  
804 period as established by the local governmental entity, with  
805 financial information necessary to comply with the reporting  
806 requirements contained in this section.

807 (c) Each regional planning council created under s.  
808 186.504, each local government finance commission, board, or  
809 council, and each municipal power corporation created as a  
810 separate legal or administrative entity by interlocal agreement  
811 under s. 163.01(7) shall submit to the department a copy of its  
812 audit report and an annual financial report for the previous

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813 fiscal year in a format prescribed by the department.

814 (d)1. Each local governmental entity that is required to  
815 provide for an audit under s. 218.39(1) must submit a copy of  
816 the audit report and annual financial report to the department  
817 within 45 days after the completion of the audit report but no  
818 later than 6 9 months after the end of the fiscal year. If the  
819 Governor declares a state of emergency under s. 252.36(2) within  
820 30 days after the submission deadline for the audit report and  
821 annual financial report, the department may extend the deadline  
822 up to an additional 90 days.

823 2. The local governmental entity must electronically submit  
824 to the clerk of the court a copy of its annual financial report  
825 and a statement certifying that the report was timely filed with  
826 the department.

827 3. Subparagraph 2. does not apply to a charter county in  
828 which the clerk of the court is not the county auditor.

829 (e) In conducting an audit of a local governmental entity  
830 pursuant to s. 218.39, an independent certified public  
831 accountant shall determine whether the entity's annual financial  
832 report is in agreement with the audited financial statements. If  
833 the audited financial statements are not in agreement with the  
834 annual financial report, the accountant shall specify and  
835 explain the significant differences that exist between the  
836 audited financial statements and the annual financial report.

837 (f) Each local governmental entity that is not required to  
838 provide for an audit under s. 218.39 must submit the annual  
839 financial report to the department no later than 9 months after  
840 the end of the fiscal year. The department shall consult with  
841 the Auditor General in the development of the format of annual

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842 financial reports submitted pursuant to this paragraph. The  
843 format must include balance sheet information used by the  
844 Auditor General pursuant to s. 11.45(7)(f). The department must  
845 forward the financial information contained within the annual  
846 financial reports to the Auditor General in electronic form. If  
847 the Governor declares a state of emergency under s. 252.36(2)  
848 within 30 days after the submission deadline, the department may  
849 extend the deadline up to an additional 90 days. This paragraph  
850 does not apply to housing authorities created under chapter 421.

851 (g)~~(f)~~ If the department does not receive a completed  
852 annual financial report from a local governmental entity within  
853 the required period, it shall notify the Legislative Auditing  
854 Committee and the Special District Accountability Program of the  
855 Department of Economic Opportunity by April 30 of the entity's  
856 failure to comply with the reporting requirements.

857 (h)~~(g)~~ Each local governmental entity's website must  
858 provide a link to the department's website to view the entity's  
859 annual financial report submitted to the department pursuant to  
860 this section. If the local governmental entity does not have an  
861 official website, the county government's website must provide  
862 the required link for the local governmental entity.

863 (i) It is the intent of the Legislature to create the  
864 Florida Open Financial Statement System, an interactive  
865 repository for governmental financial statements.

866 1. The Chief Financial Officer may consult with  
867 stakeholders, including the department, the Auditor General, a  
868 representative of a municipality or county, a representative of  
869 a special district, a municipal bond investor, and an  
870 information technology professional employed in the private

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871 sector, for input on the design and implementation of the  
872 Florida Open Financial Statement System.

873 2. The Chief Financial Officer may choose contractors to  
874 build one or more extensible Business Reporting Language (XBRL)  
875 taxonomies suitable for state, county, municipal, and special  
876 district financial filings and to create a software tool that  
877 enables financial statement filers to easily create XBRL  
878 documents consistent with the taxonomy or taxonomies. The Chief  
879 Financial Officer shall recruit and select contractors through  
880 an open request for proposals process pursuant to chapter 287.

881 3. The Chief Financial Officer shall require all work to be  
882 completed no later than December 31, 2021.

883 4. If the Chief Financial Officer deems the work products  
884 adequate, all local governmental financial statements pertaining  
885 to fiscal years ending on or after September 1, 2022, must be  
886 filed in XBRL format and must meet the validation requirements  
887 of the relevant taxonomy.

888 5. A local government that commences filing in XBRL format  
889 may not be required to make filings in portable document format.

890 (j) Beginning in the 2018-2019 fiscal year and  
891 notwithstanding any other penalty or remedy provided by law, if  
892 a local governmental entity fails to submit information to the  
893 clerk of the court as required under paragraph (d), s.  
894 129.03(3)(d), s. 166.241(4), or s. 189.016(5), as applicable,  
895 the clerk of the court shall notify the appropriate local fiscal  
896 officer to suspend future salary payments to the head of that  
897 local governmental entity. The clerk shall notify the  
898 appropriate local fiscal officer to resume payments when the  
899 clerk receives the information.

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900 (2) The department shall annually by December 1 file a  
901 verified report with the Governor, the Legislature, the Auditor  
902 General, and the Special District Accountability Program of the  
903 Department of Economic Opportunity showing the revenues, both  
904 locally derived and derived from intergovernmental transfers,  
905 and the expenditures of each local governmental entity, regional  
906 planning council, local government finance commission, and  
907 municipal power corporation that is required to submit an annual  
908 financial report. In preparing the verified report, the  
909 department may request additional information from the local  
910 governmental entity. The information requested must be provided  
911 to the department within 45 days after the request. If the local  
912 governmental entity does not comply with the request, the  
913 department shall notify the Legislative Auditing Committee,  
914 which may take action pursuant to s. 11.40(2). The report must  
915 include, but is not limited to:

916 (a) The total revenues and expenditures of each local  
917 governmental entity that is a component unit included in the  
918 annual financial report of the reporting entity.

919 (b) The amount of outstanding long-term debt by each local  
920 governmental entity. For purposes of this paragraph, the term  
921 "long-term debt" means any agreement or series of agreements to  
922 pay money, which, at inception, contemplate terms of payment  
923 exceeding 1 year in duration.

924 (3) No later than 12 months after the end of the most  
925 recently completed fiscal year, the department shall post on its  
926 website the annual financial report for each local governmental  
927 entity and independent special district that is required to  
928 submit an annual financial report pursuant to subsection (1).



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929        (4)~~(3)~~ The department shall notify the President of the  
930 Senate and the Speaker of the House of Representatives of any  
931 municipality that has not reported any financial activity for  
932 the last 4 fiscal years. Such notice must be sufficient to  
933 initiate dissolution procedures as described in s.  
934 165.051(1)(a). Any special law authorizing the incorporation or  
935 creation of the municipality must be included within the  
936 notification.

937        Section 14. Present subsection (3) of section 218.33,  
938 Florida Statutes, is renumbered as subsection (4), and a new  
939 subsection (3) is added to that section, to read:

940        218.33 Local governmental entities; establishment of  
941 uniform fiscal years and accounting practices and procedures.—

942        (3) Each local governmental entity shall establish and  
943 maintain internal controls designed to:

944        (a) Prevent and detect fraud, waste, and abuse as defined  
945 in s. 11.45(1).

946        (b) Promote and encourage compliance with applicable laws,  
947 rules, contracts, grant agreements, and best practices.

948        (c) Support economical and efficient operations.

949        (d) Ensure reliability of financial records and reports.

950        (e) Safeguard assets.

951        Section 15. Present subsections (8) through (12) of section  
952 218.39, Florida Statutes, are renumbered as subsections (9)  
953 through (13), respectively, paragraphs (b), (c), (g), and (h) of  
954 subsection (1) and subsection (7) of that section are amended,  
955 and a new subsection (8) is added to that section, to read:

956        218.39 Annual financial audit reports.—

957        (1) If, by the first day in any fiscal year, a local

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958 governmental entity, district school board, charter school, or  
959 charter technical career center has not been notified that a  
960 financial audit for that fiscal year will be performed by the  
961 Auditor General, each of the following entities shall have an  
962 annual financial audit of its accounts and records completed  
963 within 9 months after the end of its fiscal year by an  
964 independent certified public accountant retained by it and paid  
965 from its public funds:

966 (b) Any municipality with revenues or the total of  
967 expenditures and expenses in excess of \$250,000, as reported on  
968 the fund financial statements, and each municipality beginning  
969 with the 2018-2019 fiscal year.

970 (c) Any special district with revenues or the total of  
971 expenditures and expenses in excess of \$100,000, as reported on  
972 the fund financial statements, and each special district  
973 beginning with the 2018-2019 fiscal year.

974 ~~(g) Each municipality with revenues or the total of~~  
975 ~~expenditures and expenses between \$100,000 and \$250,000, as~~  
976 ~~reported on the fund financial statements, which has not been~~  
977 ~~subject to a financial audit pursuant to this subsection for the~~  
978 ~~2 preceding fiscal years.~~

979 ~~(h) Each special district with revenues or the total of~~  
980 ~~expenditures and expenses between \$50,000 and \$100,000, as~~  
981 ~~reported on the fund financial statement, which has not been~~  
982 ~~subject to a financial audit pursuant to this subsection for the~~  
983 ~~2 preceding fiscal years.~~

984 (7) All audits conducted pursuant to this section must be  
985 conducted in accordance with the rules of the Auditor General  
986 adopted pursuant to s. 11.45. Upon completion of the audit, the

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987 auditor shall prepare an audit report in accordance with the  
988 rules of the Auditor General. The audit report shall be filed  
989 with the Auditor General within 45 days after delivery of the  
990 audit report to the governing body of the audited entity, but no  
991 later than 6 ~~9~~ months after the end of the audited entity's  
992 fiscal year. The audit report must include a written statement  
993 describing corrective actions to be taken in response to each of  
994 the auditor's recommendations included in the audit report. If  
995 the Governor declares a state of emergency under s. 252.36(2)  
996 within 30 days after the submission deadline for the audit  
997 report, the Auditor General may extend the deadline up to an  
998 additional 90 days.

999 (8) If the audit report includes a recommendation that was  
1000 included in the preceding financial audit report and remains  
1001 unaddressed, the governing body of the audited entity, within 60  
1002 days after the delivery of the audit report to the governing  
1003 body, shall indicate during a regularly scheduled public meeting  
1004 whether it intends to take corrective action, the intended  
1005 corrective action, and the timeframe for the corrective action.  
1006 If the governing body indicates that it does not intend to take  
1007 corrective action, it must explain its decision at the public  
1008 meeting.

1009 Section 16. Subsection (2) of section 218.391, Florida  
1010 Statutes, is amended, and subsections (9) through (13) are added  
1011 to that section, to read:

1012 218.391 Auditor selection procedures.—

1013 (2) The governing body of a ~~charter~~ county, municipality,  
1014 special district, district school board, charter school, or  
1015 charter technical career center shall establish an audit

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1016 committee.

1017 (a) At a minimum, the audit committee for a county must  
1018 ~~Each noncharter county shall establish an audit committee that,~~  
1019 ~~at a minimum, shall~~ consist of each of the county officers  
1020 elected pursuant to the county charter or s. 1(d), Art. VIII of  
1021 the State Constitution, or their respective designees a  
1022 ~~designee,~~ and one member of the board of county commissioners or  
1023 its designee.

1024 (b) The audit committee for a municipality, special  
1025 district, district school board, charter school, or charter  
1026 technical career center shall consist of at least three members.  
1027 One member of the audit committee must be a member of the  
1028 governing body of an entity specified in this paragraph, who  
1029 shall also serve as the chair of the committee.

1030 (c) An employee, a chief executive officer, or a chief  
1031 financial officer of the county, municipality, special district,  
1032 district school board, charter school, or charter technical  
1033 career center may not serve as a voting member of an audit  
1034 committee established under this subsection but may serve in a  
1035 nonvoting advisory capacity.

1036 (d) At least one member of the audit committee should have  
1037 experience in finance, business, or government operations.

1038 (e) The primary purpose of the audit committee is to assist  
1039 the governing body in selecting an auditor to conduct the annual  
1040 financial audit required in s. 218.39; however, the audit  
1041 committee may serve other audit oversight purposes as determined  
1042 by the entity's governing body. The public may ~~shall~~ not be  
1043 excluded from the proceedings under this section.

1044 (9) For each audit required by s. 218.39, the auditor shall

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1045 include the following information in the management letter  
1046 prepared pursuant to s. 218.39(4):

1047 (a) The date the entity's governing body approved the  
1048 selection of the auditor and the date the entity and the auditor  
1049 executed the most recent contract pursuant to subsection (7);

1050 (b) The first fiscal year for which the auditor conducted  
1051 the audit under the most recently executed contract pursuant to  
1052 subsection (7); and

1053 (c) The contract period, including renewals, and conditions  
1054 under which the contract may be terminated or renewed.

1055 (10) On each occasion that an entity contracts with an  
1056 auditor to conduct an audit pursuant to s. 218.39, an affidavit  
1057 shall be executed by the chair of the entity's governing body in  
1058 a format prescribed in accordance with rules adopted by the  
1059 Auditor General, affirming that the auditor was selected in  
1060 compliance with the requirements of subsections (3)-(6). The  
1061 affidavit must, as a separate document, accompany the entity's  
1062 first audit report prepared by the auditor under the most  
1063 recently executed contract pursuant to subsection (7). The  
1064 affidavit shall include the following information:

1065 (a) The date the entity's governing body approved the  
1066 selection of the auditor;

1067 (b) The first fiscal year for which the auditor conducted  
1068 the audit; and

1069 (c) The contract period, including renewals, and conditions  
1070 under which the contract may be terminated or renewed.

1071 (11) If the entity fails to select the auditor in  
1072 accordance with the requirements of subsections (3)-(6), the  
1073 entity shall again perform the auditor selection process in

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1074 accordance with this section to select an auditor to conduct  
1075 audits for subsequent fiscal years if the original audit was  
1076 performed under a multiyear contract.

1077 (a) If performing the auditor selection process again in  
1078 accordance with this section would preclude the entity from  
1079 timely completing the annual financial audit required by s.  
1080 218.39, the entity shall again perform the auditor selection  
1081 process in accordance with this section for the subsequent  
1082 annual financial audit. A multiyear contract entered into  
1083 between an entity and an auditor after the effective date of  
1084 this act may not prohibit or restrict an entity from complying  
1085 with the section.

1086 (b) If the entity fails to perform the auditor selection  
1087 process again, pursuant to this subsection, the Legislative  
1088 Auditing Committee shall determine whether the entity should be  
1089 subject to state action pursuant to s. 11.40(2).

1090 (12) If the entity fails to provide the Auditor General  
1091 with the affidavit required by subsection (10), the Auditor  
1092 General shall request that the entity provide the affidavit. The  
1093 affidavit must be provided within 45 days after the date of the  
1094 request. If the entity does not comply with the Auditor  
1095 General's request, the Legislative Auditing Committee shall  
1096 determine whether the entity should be subject to state action  
1097 pursuant to s. 11.40(2).

1098 (13) If the entity provides the Auditor General with the  
1099 affidavit required in subsection (10) but failed to select the  
1100 auditor in accordance with the requirements of subsections (3)-  
1101 (6), the Legislative Auditing Committee shall determine whether  
1102 the entity should be subject to state action pursuant to s.

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1103 11.40(2).

1104 Section 17. Subsection (2) of section 286.0114, Florida  
1105 Statutes, is amended to read:

1106 286.0114 Public meetings; reasonable opportunity to be  
1107 heard; attorney fees.—

1108 (2) Members of the public shall be given a reasonable  
1109 opportunity to be heard on a proposition before a board or  
1110 commission. The opportunity to be heard need not occur at the  
1111 same meeting at which the board or commission takes official  
1112 action on the proposition if the opportunity occurs at a meeting  
1113 that is during the decisionmaking process and is within  
1114 reasonable proximity in time before the meeting at which the  
1115 board or commission takes the official action. A board or  
1116 commission may not require a member of the public to provide an  
1117 advance written copy of his or her testimony or comments as a  
1118 condition of being given the opportunity to be heard at a  
1119 meeting. This section does not prohibit a board or commission  
1120 from maintaining orderly conduct or proper decorum in a public  
1121 meeting. The opportunity to be heard is subject to rules or  
1122 policies adopted by the board or commission, as provided in  
1123 subsection (4).

1124 Section 18. Paragraph (e) of subsection (4), paragraph (d)  
1125 of subsection (5), and paragraph (d) of subsection (6) of  
1126 section 373.536, Florida Statutes, are amended, and paragraphs  
1127 (e) and (f) are added to subsection (6) of that section, to  
1128 read:

1129 373.536 District budget and hearing thereon.—

1130 (4) BUDGET CONTROLS; FINANCIAL INFORMATION.—

1131 (e) ~~By September 1, 2012,~~ Each district shall provide a

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1132 monthly financial statement in the form and manner prescribed by  
1133 the Department of Financial Services to the district's governing  
1134 board and make such monthly financial statement available for  
1135 public access on its website.

1136 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
1137 APPROVAL.—

1138 (d) Each district shall, by August 1 of each year, submit  
1139 for review a tentative budget and a description of any  
1140 significant changes from the preliminary budget submitted to the  
1141 Legislature pursuant to s. 373.535 to the Governor, the  
1142 President of the Senate, the Speaker of the House of  
1143 Representatives, the chairs of all legislative committees and  
1144 subcommittees having substantive or fiscal jurisdiction over  
1145 water management districts, as determined by the President of  
1146 the Senate or the Speaker of the House of Representatives, as  
1147 applicable, the secretary of the department, and the governing  
1148 body of each county in which the district has jurisdiction or  
1149 derives any funds for the operations of the district. The  
1150 tentative budget must be posted on the district's official  
1151 website at least 2 days before budget hearings held pursuant to  
1152 s. 200.065 or other law and must remain on the website for at  
1153 least 45 days.

1154 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;  
1155 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1156 (d) The final adopted budget must be posted on the water  
1157 management district's official website within 30 days after  
1158 adoption and must remain on the website for at least 2 years.

1159 (e) Beginning in the 2018-2019 fiscal year, the water  
1160 management district budget officer shall electronically submit



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1161 information regarding the final budget to the Office of Economic  
1162 and Demographic Research in the format specified by the office  
1163 within 30 days after adoption of the final budget. If the  
1164 Governor declares a state of emergency under s. 252.36(2) within  
1165 30 days after the submission deadline, the office may extend the  
1166 deadline up to an additional 90 days. The water management  
1167 district budget officer shall also electronically submit to the  
1168 clerk of the court in each county in which the district  
1169 operates:

1170 1. A copy of the information that was submitted to the  
1171 office.

1172 2. A copy of the final budget that was posted on the water  
1173 management district's website.

1174 3. A statement certifying that the items in subparagraphs  
1175 1. and 2. were timely submitted and posted.

1176 (f) Beginning in the 2018-2019 fiscal year and  
1177 notwithstanding any other penalty or remedy that may be  
1178 authorized by law, if a water management district budget officer  
1179 fails to submit information to the clerk of the court as  
1180 required in paragraph (e), the clerk of the court shall notify  
1181 the appropriate fiscal officer to suspend future salary payments  
1182 for the executive director of that district. The clerk shall  
1183 notify the fiscal officer to resume payments when the clerk  
1184 receives the information.

1185 Section 19. Paragraphs (b) and (l) of subsection (12) of  
1186 section 1001.42, Florida Statutes, are amended to read:

1187 1001.42 Powers and duties of district school board.—The  
1188 district school board, acting as a board, shall exercise all  
1189 powers and perform all duties listed below:

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1190 (12) FINANCE.—Take steps to assure students adequate  
1191 educational facilities through the financial procedure  
1192 authorized in chapters 1010 and 1011 and as prescribed below:

1193 (b) *Annual budget.*—

1194 1. Cause to be prepared, adopt, and have submitted to the  
1195 Department of Education as required by law and rules of the  
1196 State Board of Education, the annual school budget, such budget  
1197 to be so prepared and executed as to promote the improvement of  
1198 the district school system.

1199 2. An individual school board member may request and shall  
1200 receive any proposed, tentative, and official budget documents,  
1201 including all supporting and background information.

1202 (1) Internal auditor.—May or, in the case of a school  
1203 district receiving annual federal, state, and local funds in  
1204 excess of \$500 million, shall employ an internal auditor. The  
1205 scope of the internal auditor may not be restricted and must  
1206 include every functional and program area of the school system.

1207 1. The internal auditor shall ~~to~~ perform ongoing financial  
1208 verification of the financial records of the school district, a  
1209 comprehensive risk assessment of all areas of the school system  
1210 every 5 years, and other audits and reviews as the district  
1211 school board directs, for determining:

1212 a. The adequacy of internal controls designed to prevent  
1213 and detect fraud, waste, and abuse.

1214 b. Compliance with applicable laws, rules, contracts, grant  
1215 agreements, district school board-approved policies, and best  
1216 practices.

1217 c. The efficiency of operations.

1218 d. The reliability of financial records and reports.

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1219       e. The safeguarding of assets.  
 1220       f. Financial solvency.  
 1221       g. Projected revenues and expenditures.  
 1222       h. The rate of change in the general fund balance.  
 1223       2. The internal auditor shall prepare audit reports of his  
 1224 or her findings and report directly to the district school board  
 1225 or its designee.  
 1226       3. Any person responsible for furnishing or producing any  
 1227 book, record, paper, document, data, or sufficient information  
 1228 necessary to conduct a proper audit or examination which the  
 1229 internal auditor is by law authorized to perform is subject to  
 1230 the provisions of s. 11.47(3) and (4).  
 1231       Section 20. Paragraph (j) of subsection (9) of section  
 1232 1002.33, Florida Statutes, is amended to read:  
 1233       1002.33 Charter schools.—  
 1234       (9) CHARTER SCHOOL REQUIREMENTS.—  
 1235       (j) The governing body of the charter school shall be  
 1236 responsible for:  
 1237       1. Establishing and maintaining internal controls designed  
 1238 to:  
 1239       a. Prevent and detect fraud, waste, and abuse as defined in  
 1240 s. 11.45(1).  
 1241       b. Promote and encourage compliance with applicable laws,  
 1242 rules, contracts, grant agreements, and best practices.  
 1243       c. Support economical and efficient operations.  
 1244       d. Ensure reliability of financial records and reports.  
 1245       e. Safeguard assets.  
 1246       ~~2.1.~~ Ensuring that the charter school has retained the  
 1247 services of a certified public accountant or auditor for the

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1248 annual financial audit, pursuant to s. 1002.345(2), who shall  
1249 submit the report to the governing body.

1250 ~~3.2.~~ Reviewing and approving the audit report, including  
1251 audit findings and recommendations for the financial recovery  
1252 plan.

1253 ~~4.a.3.a.~~ Performing the duties in s. 1002.345, including  
1254 monitoring a corrective action plan.

1255 b. Monitoring a financial recovery plan in order to ensure  
1256 compliance.

1257 ~~5.4.~~ Participating in governance training approved by the  
1258 department which must include government in the sunshine,  
1259 conflicts of interest, ethics, and financial responsibility.

1260 Section 21. Present subsections (6) through (10) of section  
1261 1002.37, Florida Statutes, are renumbered as subsections (7)  
1262 through (11), respectively, present subsection (6) is amended,  
1263 and a new subsection (6) is added to that section, to read:

1264 1002.37 The Florida Virtual School.—

1265 (6) The Florida Virtual School shall have an annual  
1266 financial audit of its accounts and records conducted by an  
1267 independent auditor who is a certified public accountant  
1268 licensed under chapter 473. The independent auditor shall  
1269 conduct the audit in accordance with rules adopted by the  
1270 Auditor General pursuant to s. 11.45 and, upon completion of the  
1271 audit, shall prepare an audit report in accordance with such  
1272 rules. The audit report must include a written statement by the  
1273 board of trustees describing corrective action to be taken in  
1274 response to each of the recommendations of the independent  
1275 auditor included in the audit report. The independent auditor  
1276 shall submit the audit report to the board of trustees and the

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1277 Auditor General no later than 9 months after the end of the  
1278 preceding fiscal year.

1279 (7)~~(6)~~ The board of trustees shall annually submit to the  
1280 Governor, the Legislature, the Commissioner of Education, and  
1281 the State Board of Education the audit report prepared pursuant  
1282 to subsection (6) and a complete and detailed report setting  
1283 forth:

1284 (a) The operations and accomplishments of the Florida  
1285 Virtual School within the state and those occurring outside the  
1286 state as Florida Virtual School Global.

1287 (b) The marketing and operational plan for the Florida  
1288 Virtual School and Florida Virtual School Global, including  
1289 recommendations regarding methods for improving the delivery of  
1290 education through the Internet and other distance learning  
1291 technology.

1292 (c) The assets and liabilities of the Florida Virtual  
1293 School and Florida Virtual School Global at the end of the  
1294 fiscal year.

1295 ~~(d) A copy of an annual financial audit of the accounts and~~  
1296 ~~records of the Florida Virtual School and Florida Virtual School~~  
1297 ~~Global, conducted by an independent certified public accountant~~  
1298 ~~and performed in accordance with rules adopted by the Auditor~~  
1299 ~~General.~~

1300 (d)~~(e)~~ Recommendations regarding the unit cost of providing  
1301 services to students through the Florida Virtual School and  
1302 Florida Virtual School Global. In order to most effectively  
1303 develop public policy regarding any future funding of the  
1304 Florida Virtual School, it is imperative that the cost of the  
1305 program is accurately identified. The identified cost of the

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1306 program must be based on reliable data.

1307 (e)~~(f)~~ Recommendations regarding an accountability  
1308 mechanism to assess the effectiveness of the services provided  
1309 by the Florida Virtual School and Florida Virtual School Global.

1310 Section 22. Subsection (5) is added to section 1010.01,  
1311 Florida Statutes, to read:

1312 1010.01 Uniform records and accounts.—

1313 (5) Each school district, Florida College System  
1314 institution, and state university shall establish and maintain  
1315 internal controls designed to:

1316 (a) Prevent and detect fraud, waste, and abuse as defined  
1317 in s. 11.45(1).

1318 (b) Promote and encourage compliance with applicable laws,  
1319 rules, contracts, grant agreements, and best practices.

1320 (c) Support economical and efficient operations.

1321 (d) Ensure reliability of financial records and reports.

1322 (e) Safeguard assets.

1323 Section 23. Subsection (2) of section 1010.30, Florida  
1324 Statutes, is amended to read:

1325 1010.30 Audits required.—

1326 (2) If a school district, Florida College System  
1327 institution, or university audit report includes a  
1328 recommendation that was included in the preceding financial  
1329 audit report but remains unaddressed ~~an audit contains a~~  
1330 ~~significant finding~~, the district school board, the Florida  
1331 College System institution board of trustees, or the university  
1332 board of trustees, within 60 days after the delivery of the  
1333 audit report to the school district, Florida College System  
1334 institution, or university, shall indicate ~~conduct an audit~~

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1335 ~~overview~~ during a regularly scheduled public meeting whether it  
1336 intends to take corrective action, the intended corrective  
1337 action, and the timeframe for the corrective action. If the  
1338 district school board, Florida College System institution board  
1339 of trustees, or university board of trustees indicates that it  
1340 does not intend to take corrective action, it shall explain its  
1341 decision at the public meeting.

1342 Section 24. Section 1011.03, Florida Statutes, is amended  
1343 to read:

1344 1011.03 Public hearings; budget submissions; penalties ~~to~~  
1345 ~~be submitted to Department of Education.~~

1346 (1) Each district school board shall cause a summary of its  
1347 tentative budget, including the proposed millage levies as  
1348 provided for by law, to be posted on the district's official  
1349 website and advertised once in a newspaper of general  
1350 circulation published in the district or to be posted at the  
1351 courthouse if there be no such newspaper.

1352 (2) The advertisement of a district that has been required  
1353 by the Legislature to increase classroom expenditures pursuant  
1354 to s. 1011.64 must include the following statement:

1355  
1356 "This proposed budget reflects an increase in classroom  
1357 expenditures as a percent of total current operating  
1358 expenditures of XX percent over the (previous fiscal year)  
1359 fiscal year. This increase in classroom expenditures is required  
1360 by the Legislature because the district has performed below the  
1361 required performance standard on XX of XX student performance  
1362 standards for the (previous school year) school year. In order  
1363 to achieve the legislatively required level of classroom

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1364 expenditures as a percentage of total operating expenditures,  
1365 the proposed budget includes an increase in overall classroom  
1366 expenditures of \$XX,XXX,XXX above the amount spent for this same  
1367 purpose during the (previous fiscal year) fiscal year. In order  
1368 to achieve improved student academic performance, this proposed  
1369 increase is being budgeted for the following activities:  
1370 ... (list activities and amount budgeted) ...."

1371 (3) The advertisement shall appear adjacent to the  
1372 advertisement required pursuant to s. 200.065. The State Board  
1373 of Education may adopt rules necessary to provide specific  
1374 requirements for the format of the advertisement.

1375 (4) The board shall hold public hearings to adopt tentative  
1376 and final budgets pursuant to s. 200.065. The hearings shall be  
1377 primarily for the purpose of hearing requests and complaints  
1378 from the public regarding the budgets and the proposed tax  
1379 levies and for explaining the budget and proposed or adopted  
1380 amendments thereto, if any. The tentative budget must be posted  
1381 on the district's official website at least 2 days before the  
1382 budget hearing held pursuant to s. 200.065 or other law. The  
1383 final adopted budget must be posted on the district's official  
1384 website within 30 days after adoption. The board shall require  
1385 the superintendent to transmit two copies of the adopted budget  
1386 to the Department of Education as prescribed by law and rules of  
1387 the State Board of Education.

1388 (5) (a) Beginning in the 2018-2019 fiscal year, the district  
1389 school board budget officer shall electronically submit  
1390 information regarding the final budget to the Office of Economic  
1391 and Demographic Research in the format specified by the office  
1392 within 30 days after adoption of the final budget. If the



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1393 Governor declares a state of emergency under s. 252.36(2) within  
1394 30 days after the submission deadline for the final budget, the  
1395 office may extend the deadline up to an additional 90 days. The  
1396 district school board budget officer shall also electronically  
1397 submit to the clerk of the court:

1398 1. A copy of the information that was submitted to the  
1399 office.

1400 2. A copy of the final budget that was posted on the  
1401 district school board's website.

1402 3. A statement certifying that the items in subparagraphs  
1403 1. and 2. were timely submitted and posted.

1404 (b) Beginning in the 2018-2019 fiscal year and  
1405 notwithstanding any other penalty or remedy that may be  
1406 authorized by law, if the district school board budget officer  
1407 fails to submit information to the clerk of the court as  
1408 required in paragraph (a), the clerk of the court shall notify  
1409 the appropriate fiscal officer to suspend future salary payments  
1410 for the superintendent of that district. The clerk shall notify  
1411 the appropriate fiscal officer to resume payments when the clerk  
1412 receives the information.

1413 (6)~~(5)~~ If the governing body of a district amends the  
1414 budget, the adopted amendment must be posted on the official  
1415 website of the district within 5 days after adoption.

1416 Section 25. Subsection (1) of section 1011.60, Florida  
1417 Statutes, is amended to read:

1418 1011.60 Minimum requirements of the Florida Education  
1419 Finance Program.—Each district which participates in the state  
1420 appropriations for the Florida Education Finance Program shall  
1421 provide evidence of its effort to maintain an adequate school

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1422 program throughout the district and shall meet at least the  
1423 following requirements:

1424 (1) ACCOUNTS AND REPORTS.—Maintain adequate and accurate  
1425 records, including a system of internal accounts for individual  
1426 schools, and file with the Department of Education, in correct  
1427 and proper form on or before the date due as fixed by law or  
1428 rule, each annual or periodic report that is required by rules  
1429 of the State Board of Education. A district school board that  
1430 submits an annual financial report to the department must also  
1431 electronically submit to the clerk of the court a copy of the  
1432 report with a statement certifying that the report was timely  
1433 filed with the department.

1434 Section 26. (1) By July 15, 2018, the Office of Economic  
1435 and Demographic Research shall prepare forms for use by  
1436 counties, municipalities, special districts, water management  
1437 districts, and school districts when submitting information  
1438 regarding their final budgets to the office. The forms must  
1439 group existing fiscal information in broad yet meaningful  
1440 categories, but should not create new reporting requirements.

1441 (2) By December 1, 2018, the office shall submit a report  
1442 to the President of the Senate and the Speaker of the House of  
1443 Representatives which:

1444 (a) Identifies a structure to create unique area profiles  
1445 for the counties, municipalities, special districts, water  
1446 management districts, and school districts which would assist  
1447 the public in making simple direct comparisons between the  
1448 distinct entities.

1449 (b) Provides recommendations for metrics for ranking the  
1450 reporting entities based on the final budget information

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1451 submitted to the office. The metrics must allow the public to  
1452 make direct comparisons between the different local governments.

1453 (c) Provides recommendations for mechanisms to submit the  
1454 information in this subsection to the public in a cost-effective  
1455 manner.

1456 Section 27. Subsection (16) of section 165.0615, Florida  
1457 Statutes, is amended to read:

1458 165.0615 Municipal conversion of independent special  
1459 districts upon elector-initiated and approved referendum.—

1460 (16) If the incorporation plan is approved by a majority of  
1461 the votes cast in the independent special district, the district  
1462 shall notify the Special District Accountability Program  
1463 pursuant to s. 189.016(2) and the local general-purpose  
1464 governments in which any part of the independent special  
1465 district is situated pursuant to s. 189.016(8) ~~s. 189.016(7)~~.

1466 Section 28. Subsections (1) and (2) of section 189.066,  
1467 Florida Statutes, are amended to read:

1468 189.066 Effect of failure to file certain reports or  
1469 information.—

1470 (1) If an independent special district fails to file the  
1471 reports or information required under s. 189.014, s. 189.015, s.  
1472 189.016(10) ~~s. 189.016(9)~~, or s. 189.08 with the local general-  
1473 purpose government or governments in which it is located, the  
1474 person authorized to receive and read the reports or information  
1475 or the local general-purpose government shall notify the  
1476 district's registered agent. If requested by the district, the  
1477 local general-purpose government shall grant an extension of up  
1478 to 30 days for filing the required reports or information. If  
1479 the governing body of the local general-purpose government or

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1480 governments determines that there has been an unjustified  
1481 failure to file these reports or information, it shall notify  
1482 the department, and the department may proceed pursuant to s.  
1483 189.067(1).

1484 (2) If a dependent special district fails to file the  
1485 reports or information required under s. 189.014, s. 189.015, or  
1486 s. 189.016(10) ~~s. 189.016(9)~~ with the local governing authority  
1487 to which it is dependent, the local governing authority shall  
1488 take whatever steps it deems necessary to enforce the special  
1489 district's accountability. Such steps may include, as  
1490 authorized, withholding funds, removing governing body members  
1491 at will, vetoing the special district's budget, conducting the  
1492 oversight review process set forth in s. 189.068, or amending,  
1493 merging, or dissolving the special district in accordance with  
1494 the provisions contained in the ordinance that created the  
1495 dependent special district.

1496 Section 29. Paragraph (a) of subsection (2) of section  
1497 189.069, Florida Statutes, is amended to read:

1498 189.069 Special districts; required reporting of  
1499 information; web-based public access.—

1500 (2) (a) A special district shall post the following  
1501 information, at a minimum, on the district's official website:

- 1502 1. The full legal name of the special district.
- 1503 2. The public purpose of the special district.
- 1504 3. The name, official address, official e-mail address,  
1505 and, if applicable, term and appointing authority for each  
1506 member of the governing body of the special district.
- 1507 4. The fiscal year of the special district.
- 1508 5. The full text of the special district's charter, the

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1509 date of establishment, the establishing entity, and the statute  
1510 or statutes under which the special district operates, if  
1511 different from the statute or statutes under which the special  
1512 district was established. Community development districts may  
1513 reference chapter 190 as the uniform charter but must include  
1514 information relating to any grant of special powers.

1515 6. The mailing address, e-mail address, telephone number,  
1516 and website uniform resource locator of the special district.

1517 7. A description of the boundaries or service area of, and  
1518 the services provided by, the special district.

1519 8. A listing of all taxes, fees, assessments, or charges  
1520 imposed and collected by the special district, including the  
1521 rates or amounts for the fiscal year and the statutory authority  
1522 for the levy of the tax, fee, assessment, or charge. For  
1523 purposes of this subparagraph, charges do not include patient  
1524 charges by a hospital or other health care provider.

1525 9. The primary contact information for the special district  
1526 for purposes of communication from the department.

1527 10. A code of ethics adopted by the special district, if  
1528 applicable, and a hyperlink to generally applicable ethics  
1529 provisions.

1530 11. The budget of the special district and any amendments  
1531 thereto in accordance with s. 189.016.

1532 12. The final, complete audit report for the most recent  
1533 completed fiscal year and audit reports required by law or  
1534 authorized by the governing body of the special district.

1535 13. A listing of its regularly scheduled public meetings as  
1536 required by s. 189.015(1).

1537 14. The public facilities report, if applicable.

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1538 15. The link to the Department of Financial Services'  
1539 website as set forth in s. 218.32(1)(h) ~~s. 218.32(1)(g)~~.

1540 16. At least 7 days before each meeting or workshop, the  
1541 agenda of the event, along with any meeting materials available  
1542 in an electronic format, excluding confidential and exempt  
1543 information. The information must remain on the website for at  
1544 least 1 year after the event.

1545 Section 30. Paragraph (e) of subsection (2) and paragraph  
1546 (g) of subsection (3) of section 189.074, Florida Statutes, are  
1547 amended to read:

1548 189.074 Voluntary merger of independent special districts.—  
1549 Two or more contiguous independent special districts created by  
1550 special act which have similar functions and elected governing  
1551 bodies may elect to merge into a single independent district  
1552 through the act of merging the component independent special  
1553 districts.

1554 (2) JOINT MERGER PLAN BY RESOLUTION.—The governing bodies  
1555 of two or more contiguous independent special districts may, by  
1556 joint resolution, endorse a proposed joint merger plan to  
1557 commence proceedings to merge the districts pursuant to this  
1558 section.

1559 (e) After the final public hearing, the governing bodies  
1560 shall notify the supervisors of elections of the applicable  
1561 counties in which district lands are located of the adoption of  
1562 the resolution by each governing body. The supervisors of  
1563 elections shall schedule a separate referendum for each  
1564 component independent special district. The referenda may be  
1565 held in each district on the same day, or on different days, but  
1566 no more than 20 days apart.

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1567           1. Notice of a referendum on the merger of independent  
1568 special districts must be provided pursuant to the notice  
1569 requirements in s. 100.342. At a minimum, the notice must  
1570 include:

1571           a. A brief summary of the resolution and joint merger plan;  
1572           b. A statement as to where a copy of the resolution and  
1573 joint merger plan may be examined;  
1574           c. The names of the component independent special districts  
1575 to be merged and a description of their territory;  
1576           d. The times and places at which the referendum will be  
1577 held; and  
1578           e. Such other matters as may be necessary to call, provide  
1579 for, and give notice of the referendum and to provide for the  
1580 conduct thereof and the canvass of the returns.

1581           2. The referenda must be held in accordance with the  
1582 Florida Election Code and may be held pursuant to ss. 101.6101-  
1583 101.6107. All costs associated with the referenda shall be borne  
1584 by the respective component independent special district.

1585           3. The ballot question in such referendum placed before the  
1586 qualified electors of each component independent special  
1587 district to be merged must be in substantially the following  
1588 form:

1589  
1590           "Shall ...(name of component independent special  
1591 district)... and ...(name of component independent special  
1592 district or districts)... be merged into ...(name of newly  
1593 merged independent district)...?  
1594  
1595           ....YES

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1596       ....NO"

1597

1598           4. If the component independent special districts proposing  
1599 to merge have disparate millage rates, the ballot question in  
1600 the referendum placed before the qualified electors of each  
1601 component independent special district must be in substantially  
1602 the following form:

1603

1604           "Shall ...(name of component independent special  
1605 district)... and ...(name of component independent special  
1606 district or districts)... be merged into ...(name of newly  
1607 merged independent district)... if the voter-approved maximum  
1608 millage rate within each independent special district will not  
1609 increase absent a subsequent referendum?

1610

1611       ....YES

1612       ....NO"

1613

1614           5. In any referendum held pursuant to this section, the  
1615 ballots shall be counted, returns made and canvassed, and  
1616 results certified in the same manner as other elections or  
1617 referenda for the component independent special districts.

1618           6. The merger may not take effect unless a majority of the  
1619 votes cast in each component independent special district are in  
1620 favor of the merger. If one of the component districts does not  
1621 obtain a majority vote, the referendum fails, and merger does  
1622 not take effect.

1623           7. If the merger is approved by a majority of the votes  
1624 cast in each component independent special district, the merged



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1625 independent district is created. Upon approval, the merged  
1626 independent district shall notify the Special District  
1627 Accountability Program pursuant to s. 189.016(2) and the local  
1628 general-purpose governments in which any part of the component  
1629 independent special districts is situated pursuant to s.  
1630 189.016(8) ~~s. 189.016(7)~~.

1631 8. If the referendum fails, the merger process under this  
1632 subsection may not be initiated for the same purpose within 2  
1633 years after the date of the referendum.

1634 (3) QUALIFIED ELECTOR-INITIATED MERGER PLAN.—The qualified  
1635 electors of two or more contiguous independent special districts  
1636 may commence a merger proceeding by each filing a petition with  
1637 the governing body of their respective independent special  
1638 district proposing to be merged. The petition must contain the  
1639 signatures of at least 40 percent of the qualified electors of  
1640 each component independent special district and must be  
1641 submitted to the appropriate component independent special  
1642 district governing body no later than 1 year after the start of  
1643 the qualified elector-initiated merger process.

1644 (g) After the final public hearing, the governing bodies  
1645 shall notify the supervisors of elections of the applicable  
1646 counties in which district lands are located of the adoption of  
1647 the resolution by each governing body. The supervisors of  
1648 elections shall schedule a date for the separate referenda for  
1649 each district. The referenda may be held in each district on the  
1650 same day, or on different days, but no more than 20 days apart.

1651 1. Notice of a referendum on the merger of the component  
1652 independent special districts must be provided pursuant to the  
1653 notice requirements in s. 100.342. At a minimum, the notice must

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1654 include:

1655 a. A brief summary of the resolution and elector-initiated  
1656 merger plan;

1657 b. A statement as to where a copy of the resolution and  
1658 petition for merger may be examined;

1659 c. The names of the component independent special districts  
1660 to be merged and a description of their territory;

1661 d. The times and places at which the referendum will be  
1662 held; and

1663 e. Such other matters as may be necessary to call, provide  
1664 for, and give notice of the referendum and to provide for the  
1665 conduct thereof and the canvass of the returns.

1666 2. The referenda must be held in accordance with the  
1667 Florida Election Code and may be held pursuant to ss. 101.6101-  
1668 101.6107. All costs associated with the referenda shall be borne  
1669 by the respective component independent special district.

1670 3. The ballot question in such referendum placed before the  
1671 qualified electors of each component independent special  
1672 district to be merged must be in substantially the following  
1673 form:

1674  
1675 "Shall ...(name of component independent special  
1676 district)... and ...(name of component independent special  
1677 district or districts)... be merged into ...(name of newly  
1678 merged independent district)...?"

1679  
1680 ....YES

1681 ....NO"

1682

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1683 4. If the component independent special districts proposing  
1684 to merge have disparate millage rates, the ballot question in  
1685 the referendum placed before the qualified electors of each  
1686 component independent special district must be in substantially  
1687 the following form:

1688  
1689 "Shall ...(name of component independent special  
1690 district)... and ...(name of component independent special  
1691 district or districts)... be merged into ...(name of newly  
1692 merged independent district)... if the voter-approved maximum  
1693 millage rate within each independent special district will not  
1694 increase absent a subsequent referendum?

1695  
1696 ....YES  
1697 ....NO"

1698  
1699 5. In any referendum held pursuant to this section, the  
1700 ballots shall be counted, returns made and canvassed, and  
1701 results certified in the same manner as other elections or  
1702 referenda for the component independent special districts.

1703 6. The merger may not take effect unless a majority of the  
1704 votes cast in each component independent special district are in  
1705 favor of the merger. If one of the component independent special  
1706 districts does not obtain a majority vote, the referendum fails,  
1707 and merger does not take effect.

1708 7. If the merger is approved by a majority of the votes  
1709 cast in each component independent special district, the merged  
1710 district shall notify the Special District Accountability  
1711 Program pursuant to s. 189.016(2) and the local general-purpose

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1712 governments in which any part of the component independent  
1713 special districts is situated pursuant to s. 189.016(8) ~~s.~~  
1714 ~~189.016(7)~~.

1715 8. If the referendum fails, the merger process under this  
1716 subsection may not be initiated for the same purpose within 2  
1717 years after the date of the referendum.

1718 Section 31. Subsection (3) of section 218.503, Florida  
1719 Statutes, is amended to read:

1720 218.503 Determination of financial emergency.—

1721 (3) Upon notification that one or more of the conditions in  
1722 subsection (1) have occurred or will occur if action is not  
1723 taken to assist the local governmental entity or district school  
1724 board, the Governor or his or her designee shall contact the  
1725 local governmental entity or the Commissioner of Education or  
1726 his or her designee shall contact the district school board, as  
1727 appropriate, to determine what actions have been taken by the  
1728 local governmental entity or the district school board to  
1729 resolve or prevent the condition. The information requested must  
1730 be provided within 45 days after the date of the request. If the  
1731 local governmental entity or the district school board does not  
1732 comply with the request, the Governor or his or her designee or  
1733 the Commissioner of Education or his or her designee shall  
1734 notify ~~the members of~~ the Legislative Auditing Committee, which  
1735 ~~who~~ may take action pursuant to s. 11.40(2) ~~s. 11.40~~. The  
1736 Governor or the Commissioner of Education, as appropriate, shall  
1737 determine whether the local governmental entity or the district  
1738 school board needs state assistance to resolve or prevent the  
1739 condition. If state assistance is needed, the local governmental  
1740 entity or district school board is considered to be in a state

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1741 of financial emergency. The Governor or the Commissioner of  
1742 Education, as appropriate, has the authority to implement  
1743 measures as set forth in ss. 218.50-218.504 to assist the local  
1744 governmental entity or district school board in resolving the  
1745 financial emergency. Such measures may include, but are not  
1746 limited to:

1747 (a) Requiring approval of the local governmental entity's  
1748 budget by the Governor or approval of the district school  
1749 board's budget by the Commissioner of Education.

1750 (b) Authorizing a state loan to a local governmental entity  
1751 and providing for repayment of same.

1752 (c) Prohibiting a local governmental entity or district  
1753 school board from issuing bonds, notes, certificates of  
1754 indebtedness, or any other form of debt until such time as it is  
1755 no longer subject to this section.

1756 (d) Making such inspections and reviews of records,  
1757 information, reports, and assets of the local governmental  
1758 entity or district school board as are needed. The appropriate  
1759 local officials shall cooperate in such inspections and reviews.

1760 (e) Consulting with officials and auditors of the local  
1761 governmental entity or the district school board and the  
1762 appropriate state officials regarding any steps necessary to  
1763 bring the books of account, accounting systems, financial  
1764 procedures, and reports into compliance with state requirements.

1765 (f) Providing technical assistance to the local  
1766 governmental entity or the district school board.

1767 (g)1. Establishing a financial emergency board to oversee  
1768 the activities of the local governmental entity or the district  
1769 school board. If a financial emergency board is established for

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1770 a local governmental entity, the Governor shall appoint board  
1771 members and select a chair. If a financial emergency board is  
1772 established for a district school board, the State Board of  
1773 Education shall appoint board members and select a chair. The  
1774 financial emergency board shall adopt such rules as are  
1775 necessary for conducting board business. The board may:

1776 a. Make such reviews of records, reports, and assets of the  
1777 local governmental entity or the district school board as are  
1778 needed.

1779 b. Consult with officials and auditors of the local  
1780 governmental entity or the district school board and the  
1781 appropriate state officials regarding any steps necessary to  
1782 bring the books of account, accounting systems, financial  
1783 procedures, and reports of the local governmental entity or the  
1784 district school board into compliance with state requirements.

1785 c. Review the operations, management, efficiency,  
1786 productivity, and financing of functions and operations of the  
1787 local governmental entity or the district school board.

1788 d. Consult with other governmental entities for the  
1789 consolidation of all administrative direction and support  
1790 services, including, but not limited to, services for asset  
1791 sales, economic and community development, building inspections,  
1792 parks and recreation, facilities management, engineering and  
1793 construction, insurance coverage, risk management, planning and  
1794 zoning, information systems, fleet management, and purchasing.

1795 2. The recommendations and reports made by the financial  
1796 emergency board must be submitted to the Governor for local  
1797 governmental entities or to the Commissioner of Education and  
1798 the State Board of Education for district school boards for

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1799 appropriate action.

1800 (h) Requiring and approving a plan, to be prepared by  
1801 officials of the local governmental entity or the district  
1802 school board in consultation with the appropriate state  
1803 officials, prescribing actions that will cause the local  
1804 governmental entity or district school board to no longer be  
1805 subject to this section. The plan must include, but need not be  
1806 limited to:

1807 1. Provision for payment in full of obligations outlined in  
1808 subsection (1), designated as priority items, which are  
1809 currently due or will come due.

1810 2. Establishment of priority budgeting or zero-based  
1811 budgeting in order to eliminate items that are not affordable.

1812 3. The prohibition of a level of operations which can be  
1813 sustained only with nonrecurring revenues.

1814 4. Provisions implementing the consolidation, sourcing, or  
1815 discontinuance of all administrative direction and support  
1816 services, including, but not limited to, services for asset  
1817 sales, economic and community development, building inspections,  
1818 parks and recreation, facilities management, engineering and  
1819 construction, insurance coverage, risk management, planning and  
1820 zoning, information systems, fleet management, and purchasing.

1821 Section 32. The Legislature finds that a proper and  
1822 legitimate state purpose is served when internal controls are  
1823 established to prevent and detect fraud, waste, and abuse and to  
1824 safeguard and account for government funds and property. The  
1825 Legislature also finds that a proper and legitimate state  
1826 purpose is served when the travel records of state and local  
1827 employees are transparent to members of the public. The

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1828 Legislature further finds that a proper and legitimate state  
1829 purpose is served when local governments ensure that the  
1830 budgets, annual financial reports, and associated data for  
1831 various governmental entities are available to, and usable by,  
1832 the public. Therefore, the Legislature determines and declares  
1833 that this act fulfills an important state interest.

1834 Section 33. This act shall take effect July 1, 2018.