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A bill to be entitled
 An act relating to Broward County; providing a short title; creating an independent special district to provide and fund senior services in Broward County; providing for a governing body to be known as the Senior Services Council of Broward County; providing for such council's membership, terms, vacancies in office, compensation, powers, functions, duties, fiscal year, and budget procedures; authorizing the levy of ad valorem taxes annually not to exceed a specified amount; providing for additional district powers, duties, responsibilities, and obligations; providing limitations; providing for dissolution of the district; providing for a referendum and ballot question; providing effective dates.

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

Section 1. Short title.—This act may be cited as the "Edith Schaffer Lederberg Senior Services Act."

Section 2. Independent special district.—Effective January 2, 2024, subject to approval as provided in section 9, there is hereby created an independent special district ("district") for purposes of funding and providing services to seniors throughout Broward County ("county"). The boundaries of such district shall

26 be coterminous with the boundaries of the county. The governing
 27 body of the district shall be a board of directors to be known
 28 as the Senior Services Council of Broward County ("council").
 29 For purposes of this act, the term "senior" means a person who
 30 is 60 years of age or older.

31 Section 3. Membership; terms; vacancies in office;
 32 compensation.—

33 (1) The council shall consist of 11 members, including:

34 (a) Five permanent members representing:

35 1. The executive director of the area agency on aging or a
 36 designee who is a director of senior programs in the county.

37 2. The director of the Broward County Human Services
 38 Department or a designee who is a director of services for
 39 seniors.

40 3. The director of the Southeastern Region of the
 41 Department of Children and Families or a designee who is a
 42 senior administrator or director who is responsible for adult
 43 protective services within Broward County.

44 4. The director or administrator of the Florida Department
 45 of Health in Broward County or his or her designee.

46 5. A county commissioner appointed by a majority of the
 47 board of county commissioners.

48 (b) Two members appointed by a majority of the board of
 49 county commissioners, one of whom is a designee of a university
 50 that administers health services to seniors and one whom is the

51 county representative of the Broward League of Cities.

52 (c) One consumer member appointed by the board of county
53 commissioners who is a senior at the time of appointment.

54 (d) Three members appointed by the Governor, one of whom
55 is a member of the business community, one of whom is the
56 president or a chief executive officer of a local nonprofit
57 entity providing senior services within Broward County and one
58 of whom is a consumer member who is a senior at the time of
59 appointment.

60 (2) (a) The members appointed under subsections (3) and (4)
61 shall be residents of the county during the 24 months
62 immediately preceding appointment. Such appointees must, to the
63 greatest extent possible, represent the cultural diversity of
64 the county's population.

65 (b) Except as provided in paragraph (c), the members
66 appointed under paragraphs (1) (b), (c), and (d) shall be
67 appointed to 4-year terms and may be reappointed for one
68 additional term of office. The Governor may remove his or her
69 appointees for cause or upon written petition of the council.

70 (c) If any council member appointed by the board of county
71 commissioners or the Governor resigns, dies, or is removed from
72 office, a new member shall be appointed in the same manner as
73 the original appointment to fill the remainder of the unexpired
74 term. The board of county commissioners or the Governor, as
75 applicable, shall, to the greatest extent possible, fill a

76 vacancy within 45 days after its occurrence.

77 (3) Members of the council shall serve without
 78 compensation but may be reimbursed for per diem and travel
 79 expenses as provided in s. 112.061, Florida Statutes.

80 Section 4. Powers, functions, and duties.-

81 (1) The council may:

82 (a) Provide and maintain in the county preventive,
 83 developmental, treatment, rehabilitative, and other services
 84 that the council determines are necessary for the general
 85 welfare of seniors.

86 (b) Allocate and provide funds to other agencies in the
 87 county that operate for the benefit of seniors.

88 (c) Collect information and statistical data and conduct
 89 research and assessments that will be helpful to the council and
 90 the county in deciding the needs of seniors.

91 (d) Consult and coordinate with other agencies providing
 92 services dedicated to the welfare of seniors in order to prevent
 93 the unnecessary duplication of senior services.

94 (e) Seek grants for state, federal, and local agencies,
 95 and accept donations from all sources.

96 (f) Lease or buy real estate, equipment, and personal
 97 property, and construct buildings as necessary to carry out the
 98 powers, functions, and duties of the district, except that such
 99 purchases may not be made or buildings constructed unless paid
 100 for with cash on hand or secured by funds deposited in financial

101 institutions. This paragraph does not authorize a district to
102 issue bonds of any nature, and the district does not have the
103 authority to require the imposition of any bond by the board of
104 county commissioners.

105 (g) Employ, pay, and provide benefits for any part-time or
106 full-time personnel needed to carry out the powers, functions,
107 and duties of the district.

108 (2) The council shall:

109 (a) Immediately after the members are appointed, elect a
110 chair and vice chair from among its members and elect other
111 officers as deemed necessary by the council.

112 (b) Immediately after the officers are elected, identify
113 and assess the needs of seniors within the county and submit a
114 written report to the board of county commissioners that
115 describes:

116 1. The activities, services, and programs that will be
117 provided to seniors.

118 2. The way in which seniors will be served, including a
119 description of arrangements and agreements that will be made
120 with community organizations, state and local educational
121 agencies, federal agencies, public assistance agencies, the
122 court system, guardianship groups, and other applicable public
123 and private agencies and organizations.

124 3. The anticipated schedule for providing those
125 activities, services, and programs.

126 4. The special outreach efforts that will be undertaken to
 127 provide services to seniors who are at risk, abused, neglected,
 128 or ailing.

129 5. The way in which the council will seek and obtain
 130 funding for unmet needs of seniors.

131 6. The strategy for interagency coordination to maximize
 132 existing human and fiscal resources.

133 (c) Provide training and orientation to all new members to
 134 allow them to perform their duties. All council members,
 135 officers, and employees of the district must complete at least 4
 136 hours of ethics training each calendar year in accordance with
 137 s. 112.3142(2) (b), Florida Statutes, except that any council
 138 member who is an elected official subject to s. 112.3142,
 139 Florida Statutes, is exempt from the ethics training requirement
 140 in this paragraph.

141 (d) Make and adopt bylaws and rules for the council's
 142 guidance, operation, governance, and maintenance if such rules
 143 are consistent with federal or state laws or county ordinances.

144 (e) Provide an annual written report to be presented no
 145 later than January 1 of each year to the board of county
 146 commissioners. At a minimum, the annual report must include:

147 1. Information on the effectiveness of activities,
 148 services, and programs offered by the council, including cost
 149 effectiveness.

150 2. A detailed anticipated budget for continuation of

151 activities, services, and programs offered by the council and a
152 list of all sources of funding, both public and private.

153 3. Procedures used for early identification of at-risk
154 seniors who need additional or continued services, and methods
155 for ensuring that the additional or continued services are
156 received by such seniors.

157 4. A description of the degree to which the council's
158 objectives and activities are meeting the goals of this act.

159 5. Detailed information on the various programs, services,
160 and activities available to seniors, and how the programs,
161 services, and activities have been successfully used by seniors.

162 6. Information on programs, services, and activities that
163 should be eliminated; programs, services, and activities that
164 should be continued; and programs, services, and activities that
165 should be added to the basic responsibilities of the council.

166 (f) Maintain minutes of each meeting, including a record
167 of all votes cast, and make such minutes available to any
168 interested person.

169 Section 5. Fiscal year; budget procedures.—

170 (1) The fiscal year of the district shall be the same as
171 the fiscal year of the county.

172 (2) On or before July 1 of each year, the council shall,
173 in accordance with s. 189.016, Florida Statutes, prepare a
174 tentative annual written budget of the district's expected
175 income and expenditures, including a contingency fund. In

176 addition, the council shall compute a proposed millage rate of
 177 up to 0.5 mills necessary to fund the tentative budget. The
 178 council shall comply with s. 200.065, Florida Statutes, and fix
 179 the final millage rate by resolution of the council.

180 (3) The budget and final millage rate must be certified
 181 and delivered to the board of county commissioners by July 1 of
 182 each year or as reasonably possible following the council's
 183 adoption of the final budget and millage rate. The certified
 184 budget shall include the millage rate, adopted by resolution of
 185 the council, that is necessary to be applied to raise the funds
 186 budgeted for district operations and expenditures, which may not
 187 exceed 0.5 mills of assessed valuation of all properties within
 188 the county that are subject to ad valorem county taxes.

189 (4) After its delivery to the board of county
 190 commissioners, the certified budget of the district may not be
 191 changed or modified by the board of county commissioners or any
 192 other authority.

193 Section 6. Levying of ad valorem taxes.-

194 (1) In order to provide funds for the council, the council
 195 may levy ad valorem taxes annually on all taxable property in
 196 the county in an amount not to exceed 0.5 mills, provided the
 197 authority to levy such taxes has been approved by a majority
 198 vote of the electors of the district voting in a countywide
 199 general election held in accordance with the requirements of the
 200 State Constitution, general law, and this act. The tax shall be

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201 assessed, levied, and collected in the same manner and at the
202 same time as is provided by general law for the levy,
203 collection, and enforcement of the collection of county taxes.

204 (2) All taxes collected under this act, as soon after
205 collection as is reasonably practicable, shall be paid directly
206 to the district by the tax collector of the county.

207 (3)(a) All moneys received by the district shall be
208 deposited in qualified public depositories, as defined in s.
209 280.02, Florida Statutes, with separate and distinguishable
210 accounts established specifically for the council and may be
211 withdrawn only by checks signed by the chair of the council and
212 countersigned by one other member of the council or the
213 council's chief executive officer as authorized by the council.

214 (b)1. Upon entering the duties of office, the chair and
215 the other member of the council or the council's chief executive
216 officer who signs council checks shall each give a surety bond
217 in the sum of at least \$1,000 for each \$1 million or portion of
218 such amount of the council's annual budget, which bond shall be
219 conditioned upon the faithful discharge of the duties of his or
220 her office. The premium on such bond may be paid by the district
221 as part of the expense of the council. Other members of the
222 council may not be required to give bond or other security.

223 2. Funds of the district may only be expended by check,
224 except expenditures of up to \$100 may be made from a petty cash
225 account. All expenditures from petty cash must be recorded on

226 | the books and records of the district. District funds, except
 227 | expenditures from petty cash, may not be expended without prior
 228 | approval of the council in addition to the budgeting of such
 229 | funds.

230 | (c) Within 10 business days after the expiration of each
 231 | annual quarter, the council shall prepare and file with the
 232 | board of county commissioners a financial report that includes:

- 233 | 1. The council's total expenditures for the quarter.
- 234 | 2. The council's total receipts during the quarter.
- 235 | 3. A statement of the funds the council has on hand, has
 236 | invested, or has deposited at the end of the quarter.
- 237 | 4. The council's total administrative costs for the
 238 | quarter.

239 | Section 7. Powers, duties, responsibilities, and
 240 | obligations; limitations.-

241 | (1) Except as expressly provided by this act, the council
 242 | shall have all the powers, duties, responsibilities, and
 243 | obligations as provided by general law for special districts.

244 | (2) The council shall comply with all other statutory
 245 | requirements of general application that relate to the filing of
 246 | any financial reports or compliance reports required under part
 247 | III of chapter 218, Florida Statutes, or any other report or
 248 | documentation required by law, including the requirements of ss.
 249 | 189.015, 189.016, and 189.08, Florida Statutes.

250 | (3) The council may not require any service provider to

251 provide additional matching funds as a condition of providing
252 district services, programs, or activities for seniors.

253 (4) (a) It is the intent of the Legislature that funds
254 collected pursuant to this act be used to support improvements
255 in services, programs, or activities for seniors and that such
256 funds not be used as a substitute for existing resources or for
257 resources that would otherwise be available for senior services.

258 (b) After or during the first year of operation of the
259 council, the board of county commissioners may fund in whole or
260 in part the budget of the council from its own funds.

261 (5) The council may enter into a cooperative agreement
262 with one or more special districts to share administrative
263 costs, including staff and office space, if a more efficient or
264 effective operation will result. The cooperative agreement must
265 include provisions on apportioning costs between the council and
266 districts, keeping separate and distinct financial records for
267 each, and resolving any conflicts that might arise under the
268 cooperative agreement.

269 (6) The council may enter into a cooperative agreement
270 with the county or one or more councils to seek grants, accept
271 donations, or jointly fund programs serving multicounty areas.
272 The cooperative agreement must include provisions for the
273 adequate accounting of separate and joint funds.

274 (7) This act does not prohibit the county from exercising
275 any of the powers authorized by the State Constitution, general

276 or special laws, or the Broward County Charter to fund or
 277 provide services for seniors.

278 Section 8. Dissolution of the district; retention.-

279 (1) The district created under this act may be dissolved
 280 by a special act of the Legislature or by ordinance of the board
 281 of county commissioners subject to the approval of the
 282 electorate. If the district is dissolved under this section, the
 283 county shall first obligate itself to assume the debts,
 284 liabilities, contracts, and outstanding obligations of the
 285 district within the total millage available to the board of
 286 county commissioners for all county and municipal purposes as
 287 provided for under s. 9, Article VII of the State Constitution.
 288 Any district may also be dissolved pursuant to part VII of
 289 chapter 189, Florida Statutes.

290 (2) (a) Subsequent to the initial referendum to create the
 291 district, the board of county commissioners must place a
 292 question to reauthorize the district before the county's
 293 electorate at a general election occurring at least every 12
 294 years after the district's creation or prior reauthorization.
 295 The council may recommend to the board of county commissioners
 296 language for the question submitted to the electorate.

297 (b) This subsection does not prohibit the council from
 298 requesting that the board of county commissioners submit the
 299 question of the district's retention or dissolution to the
 300 electorate at an earlier date. In addition, this subsection does

301 not limit the authority to dissolve the district as provided in
 302 subsection (1).

303 (3) This section does not prohibit or limit the authority
 304 of the board of county commissioners to provide or fund services
 305 for seniors.

306 Section 9. Referendum.—A referendum election is called to
 307 carry out the purposes and intent of this act and to do all
 308 things necessary to implement and fund the council and the
 309 district created under this act and in accordance with general
 310 laws pertaining to elections and the provisions of law
 311 pertaining to elections currently enforced in Broward County.
 312 However, the procedures provided in ss. 101.6101-101.6107,
 313 Florida Statutes, may not be used in this election. The item
 314 that shall appear on the November 2022 general election ballot
 315 shall be as follows:

316 (Title) Creation of Senior Services Council of Broward
 317 County and authorization of taxation.

318 (Issue) An independent special district known as the
 319 "Senior Services District of Broward County" is
 320 created to provide and fund the improvement of
 321 services for seniors in Broward County by levying each
 322 year an ad valorem tax not to exceed one-half (1/2)
 323 mill for services for seniors.

324 YES for Approval

325 NO for Rejection

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326 Section 10. This act shall take effect upon its approval
327 by a majority vote of those qualified electors of Broward County
328 voting in a referendum to be held in conjunction with the
329 general election to be held in Broward County in November 2022,
330 except that this section and section 9 shall take effect upon
331 this act becoming a law.