

By Senator Avila

39-01603-25

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1                   A bill to be entitled  
2           An act relating to activities of special districts;  
3           amending s. 189.081, F.S.; authorizing certain special  
4           districts to jointly enter into, participate in,  
5           establish, or control specified joint relationships or  
6           collaborations if a certain determination is made by  
7           such districts; authorizing such districts to exercise  
8           such powers regardless of certain consequences as a  
9           result of exercising such power; providing  
10          construction; providing legislative findings and  
11          declarations; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. Subsection (7) is added to section 189.081,  
16 Florida Statutes, to read:

17           189.081 Activities of special districts; local government  
18 comprehensive planning.—

19           (7) To the extent authorized by the State Constitution, two  
20 or more special districts that operate as hospital districts may  
21 jointly enter into, participate in, establish, and control any  
22 venture, partnership, corporation, business entity,  
23 organization, joint operating network, service line, facility,  
24 or any other joint relationship or collaboration, public or  
25 private, for profit or not for profit, anywhere within the  
26 boundaries of either or all such special districts, if the  
27 governing bodies of such districts, in their discretion,  
28 determine that it is consistent with, and in furtherance of, the  
29 purposes and best interests of such districts. Such districts

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30 may exercise such powers, regardless of the competitive  
31 consequences thereof, including any actions that may be deemed  
32 anticompetitive within the meaning of state and federal  
33 antitrust laws. The provisions in this subsection shall control  
34 over and supersede any general or special law that is  
35 inconsistent or in conflict with this subsection.

36 Section 2. The Legislature hereby finds and declares that  
37 it is a public necessity and serves a public purpose for special  
38 districts that operate as hospital districts to be able to  
39 jointly enter into, participate in, establish, or control any  
40 ventures, partnerships, corporations, business entities,  
41 organizations, joint operating networks, service lines,  
42 facilities, or any other joint relationships or collaborations,  
43 public or private, for profit or not for profit, regardless of  
44 their anticompetitive purpose or effect, to ensure the provision  
45 of quality health care to the residents of such districts, and  
46 the Legislature accordingly finds and declares such  
47 collaborations to be vitally important and necessary for the  
48 preservation of the public health and welfare of such districts  
49 and the residents thereof.

50 Section 3. This act shall take effect upon becoming a law.