



HB 1567

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CHAMBER ACTION

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The Committee on Local Government & Veterans' Affairs recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to Broward County; amending chapter 2000-461, Laws of Florida, relating to the Children's Services Council of Broward County; increasing the membership of the council; revising requirements concerning delivery of the written budget to Broward County; revising procedures concerning levying of ad valorem taxes; exempting the council from payment of fees, taxes, or incremental tax revenues to community redevelopment agencies; providing expenditure authority and procedures for budgeted funds up to \$5,000; authorizing expenditures by electronic wire transfers under specified procedures; providing effective dates.

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

Section 1. Effective October 1, 2004, section 3 of chapter 2000-461, Laws of Florida, is amended to read:



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29 Section 3. Membership.--Such council shall consist of 11  
30 ~~10~~ members, including:

31 (1) The senior administrator of the Broward County Health  
32 Department; the superintendent of schools; a local school board  
33 member, chosen by a majority of the School Board of Broward  
34 County; the district administrator from district X of the  
35 Department of Children and Family Services, or his or her  
36 designee who is a member of the Senior Management Service or of  
37 the Selected Exempt Service; one member of the County  
38 Commission, chosen by a majority of the Broward County Board of  
39 County Commissioners; and a judge assigned to juvenile cases who  
40 shall sit as a voting member of the board, except that said  
41 judge shall not vote or participate in the setting of ad valorem  
42 taxes under this section. The chief judge of the 17th judicial  
43 circuit shall designate which judge shall serve on the board.  
44 All of the proceeding members shall serve 4-year terms effective  
45 January 2, 2001.

46 (2) The remaining five members shall be appointed by the  
47 Governor, and shall, to the extent possible, represent the  
48 demographic diversity of the population of Broward County. After  
49 soliciting recommendations from the public, the Broward County  
50 Board of County Commissioners shall submit to the Governor the  
51 names of at least three persons for each vacancy occurring among  
52 the five members to be appointed by the Governor, and the  
53 Governor shall appoint members to the council from the  
54 candidates nominated. The Governor shall make a selection within  
55 a 45-day period or request a new list of candidates. All members  
56 appointed by the Governor shall have been residents of the



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57 | county for the previous 24-month period. Such members shall be  
 58 | appointed for 4-year terms, except that the length of the terms  
 59 | of the initial appointees shall be for 2 years. The Governor may  
 60 | remove a member for cause or upon the written petition of a  
 61 | majority of the County Commission plus one. If any of the  
 62 | members of the council required to be appointed by the Governor  
 63 | under the provisions of this subsection shall resign, die, or be  
 64 | removed from office, the vacancy thereby created shall, as soon  
 65 | as practicable, be filled by appointment by the Governor, using  
 66 | the same method as the original appointment, and such  
 67 | appointment to fill a vacancy shall be for the unexpired term of  
 68 | the person who resigns, dies, or is removed from office.

69 | Section 2. Section 5 of chapter 2000-461, Laws of Florida,  
 70 | is amended to read:

71 | Section 5. Fiscal Year.--

72 | (1) The fiscal year of the District shall be the same as  
 73 | that of Broward County.

74 | (2) On or before July 1 of each year, the Children's  
 75 | Services Council of Broward County shall prepare and adopt a  
 76 | tentative ~~an~~ annual written budget of its expected income and  
 77 | expenditures, including a contingency fund. The tentative annual  
 78 | written budget shall be ~~certified and~~ delivered to the Board of  
 79 | County Commissioners on or before July 1 of each year. Included  
 80 | in each tentative annual ~~certified~~ budget shall be an estimate  
 81 | of the millage rate necessary to be applied to raise the funds  
 82 | budgeted for expenditures, which millage rate shall not exceed a  
 83 | maximum of 50 cents for each \$1,000 of assessed valuation of all  
 84 | properties within the County which are subject to County taxes.



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85 The adopted annual budget and final millage rate shall be  
86 certified and delivered to the Board of County Commissioners  
87 within 15 days following the council's adoption of final budget  
88 and millage rate pursuant to chapter 200, Florida Statutes.

89 (3) The budget of the Children's Services Council so  
90 certified and delivered to the Board of County Commissioners  
91 shall not be subject to change or modification by the Board of  
92 County Commissioners or any other authority.

93 Section 3. Section 6 of chapter 2000-461, Laws of Florida,  
94 is amended to read:

95 Section 6. Levying of Ad Valorem Taxes.--In order to  
96 provide funds for the Children's Services Council of Broward  
97 County, the council may levy ad valorem taxes annually on all  
98 taxable property in the County in an amount not to exceed one-  
99 half mill, provided that the authority to levy such taxes has  
100 been approved by a majority vote of the electors of the District  
101 voting in the Countywide Election to be held in accordance with  
102 the requirements of the constitution and the laws of Florida and  
103 as set forth in this act. The council shall compute a proposed  
104 millage rate within the voter-approved cap necessary to fund the  
105 tentative budget and, prior to adopting a final budget, comply  
106 with the provisions of section 200.065, Florida Statutes,  
107 relating to the method of fixing millage, and shall fix the  
108 final millage rate by resolution of the council. ~~The tax shall~~  
109 ~~be assessed, levied, and collected in the same manner and at the~~  
110 ~~same time as is provided by law of the levy, collection, and~~  
111 ~~enforcement of collection of County taxes.~~ All tax money  
112 collected under this act, as soon after the collection thereof



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113 as is reasonably practicable, shall be paid directly to the  
114 Children's Services Council by the Tax Collector of the County  
115 and all other applicable County officials. Notwithstanding any  
116 general law or special act to the contrary, the council shall  
117 have an exemption from remitting to any community development  
118 agency any fees, taxes, or incremental tax revenues attributable  
119 to increased property valuations within each applicable  
120 community redevelopment area. The moneys so received by the  
121 Children's Services Council, shall be deposited in a special  
122 bank account, shall be withdrawn only by checks signed by the  
123 chair of the council and countersigned by one other member of  
124 the council, who shall be so authorized by the council. The  
125 chair and other member of the council who signs its checks shall  
126 each give a surety bond in the amount of \$1,000 which bond shall  
127 be conditioned that each shall faithfully discharge the duties  
128 of their office. No other member of the council shall be  
129 required to give bond or other security. No funds of the council  
130 shall be expended except by check as aforesaid, except  
131 expenditures of petty cash account which shall not at any time  
132 exceed \$100. All expenditures from petty cash shall be recorded  
133 on the books and records of the Children's Services Council. No  
134 funds of the council, except the expenditure of petty cash or  
135 issuance of checks made payable for sums no greater than \$5,000,  
136 shall be expended without prior approval of the council, in  
137 addition to the budgeting thereof. Budgeted expenditures of  
138 \$5,000 or less that have not received prior council approval  
139 shall only be authorized upon approval of the chief executive  
140 officer of the council and shall be reported to the council by



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141 | written report on a monthly basis. For the purposes of this  
142 | section, electronic wire transfers shall be deemed checks if  
143 | written authorization for each wire transfer is obtained from  
144 | the council chair and by an authorized council member.

145 |       Section 4. Except as otherwise provided herein, this act  
146 | shall take effect upon becoming a law.