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LEGISLATIVE ACTION

Senate

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House

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Floor: NC/2R

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03/03/2016 11:17 AM

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Senator Flores moved the following:

Senate Amendment (with title amendment)

Between lines 850 and 851

insert:

Section 11. Paragraph (b) of subsection (1) and paragraph (b) of subsection (4) of section 125.901, Florida Statutes, are amended to read

125.901 Children's services; independent special district; council; powers, duties, and functions; public records exemption.—

(1) Each county may by ordinance create an independent



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12 special district, as defined in ss. 189.012 and 200.001(8)(e),
13 to provide funding for children's services throughout the county
14 in accordance with this section. The boundaries of such district
15 shall be coterminous with the boundaries of the county. The
16 county governing body shall obtain approval, by a majority vote
17 of those electors voting on the question, to annually levy ad
18 valorem taxes which shall not exceed the maximum millage rate
19 authorized by this section. Any district created pursuant to the
20 provisions of this subsection shall be required to levy and fix
21 millage subject to the provisions of s. 200.065. Once such
22 millage is approved by the electorate, the district shall not be
23 required to seek approval of the electorate in future years to
24 levy the previously approved millage.

25 (b) However, any county as defined in s. 125.011(1) may
26 instead have a governing body consisting of 33 members,
27 including: the superintendent of schools or the superintendent's
28 designee; two representatives of public postsecondary education
29 institutions located in the county; the county manager or the
30 equivalent county officer; the district administrator from the
31 appropriate district of the Department of Children and Families,
32 or the administrator's designee who is a member of the Senior
33 Management Service or the Selected Exempt Service; the director
34 of the county health department or the director's designee; the
35 state attorney for the county or the state attorney's designee;
36 the chief judge assigned to juvenile cases, or another juvenile
37 judge who is the chief judge's designee and who shall sit as a
38 voting member of the board, except that the judge may not vote
39 or participate in setting ad valorem taxes under this section;
40 an individual who is selected by the board of the local United



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41 Way or its equivalent; a member of a locally recognized faith-
42 based coalition, selected by that coalition; a member of the
43 local chamber of commerce, selected by that chamber or, if more
44 than one chamber exists within the county, a person selected by
45 a coalition of the local chambers; a member of the early
46 learning coalition, selected by that coalition; a representative
47 of a labor organization or union active in the county; a member
48 of a local alliance or coalition engaged in cross-system
49 planning for health and social service delivery in the county,
50 selected by that alliance or coalition; a member of the local
51 Parent-Teachers Association/Parent-Teacher-Student Association,
52 selected by that association; a youth representative selected by
53 the local school system's student government; a local school
54 board member appointed by the chair of the school board; the
55 mayor of the county or the mayor's designee; one member of the
56 county governing body, appointed by the chair of that body; a
57 member of the state Legislature who represents residents of the
58 county, selected by the chair of the local legislative
59 delegation; an elected official representing the residents of a
60 municipality in the county, selected by the county municipal
61 league; and 4 members-at-large, appointed to the council by the
62 majority of sitting council members. The remaining 7 members
63 shall be appointed by the Governor in accordance with procedures
64 set forth in paragraph (a), except that the Governor may remove
65 a member for cause or upon the written petition of the council.
66 Appointments by the Governor must, to the extent reasonably
67 possible, represent the geographic and demographic diversity of
68 the population of the county. Members who are appointed to the
69 council by reason of their position are not subject to the



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70 length of terms and limits on consecutive terms as provided in
71 this section. The remaining appointed members of the governing
72 body shall be appointed to serve 2-year terms, except that those
73 members appointed by the Governor shall be appointed to serve 4-
74 year terms, and the youth representative and the legislative
75 delegate shall be appointed to serve 1-year terms. A member may
76 be reappointed; however, a member may not serve for more than
77 three consecutive terms. A member is eligible to be appointed
78 again after a 2-year hiatus from the council.

79 (4)

80 (b)1.a. Notwithstanding paragraph (a), the governing body
81 of the county shall submit the question of retention or
82 dissolution of a district with voter-approved taxing authority
83 to the electorate in the general election according to the
84 following schedule:

85 (I) For a district in existence on July 1, 2010, and
86 serving a county with a population of 400,000 or fewer persons
87 as of that date.....2014.

88 (II) For a district in existence on July 1, 2010, and
89 serving a county with a population of 2 million or more persons
90 as of that date, unless the governing body of the county has
91 previously submitted such question voluntarily to the electorate
92 for a second time since 2005.....2020.

93 b. A referendum by the electorate on or after July 1, 2010,
94 creating a new district with taxing authority may specify that
95 the district is not subject to reauthorization or may specify
96 the number of years for which the initial authorization shall
97 remain effective. If the referendum does not prescribe terms of
98 reauthorization, the governing body of the county shall submit



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99 the question of retention or dissolution of the district to the
100 electorate in the general election 12 years after the initial
101 authorization.

102 2. The governing body of the district may specify, and
103 submit to the governing body of the county no later than 9
104 months before the scheduled election, that the district is not
105 subsequently subject to reauthorization or may specify the
106 number of years for which a reauthorization under this paragraph
107 shall remain effective. If the governing body of the district
108 makes such specification and submission, the governing body of
109 the county shall include that information in the question
110 submitted to the electorate. If the governing body of the
111 district does not specify and submit such information, the
112 governing body of the county shall resubmit the question of
113 reauthorization to the electorate every 12 years after the year
114 prescribed in subparagraph 1. The governing body of the district
115 may recommend to the governing body of the county language for
116 the question submitted to the electorate.

117 3. Nothing in this paragraph limits the authority to
118 dissolve a district as provided under paragraph (a).

119 4. Nothing in this paragraph precludes the governing body
120 of a district from requesting that the governing body of the
121 county submit the question of retention or dissolution of a
122 district with voter-approved taxing authority to the electorate
123 at a date earlier than the year prescribed in subparagraph 1. If
124 the governing body of the county accepts the request and submits
125 the question to the electorate, the governing body satisfies the
126 requirement of that subparagraph.

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128 If any district is dissolved pursuant to this subsection, each
129 county must first obligate itself to assume the debts,
130 liabilities, contracts, and outstanding obligations of the
131 district within the total millage available to the county
132 governing body for all county and municipal purposes as provided
133 for under s. 9, Art. VII of the State Constitution. Any district
134 may also be dissolved pursuant to part VII of chapter 189.

135 ===== T I T L E A M E N D M E N T =====

136 And the title is amended as follows:

137 Delete line 45

138 and insert:

139 department to file a written notification; amending s.
140 125.901, F.S.; revising requirements related to the
141 governing body of certain counties; revising
142 requirements related to a certain schedule by which
143 the governing body of a county must submit the
144 question of retention or dissolution of a district
145 with voter-approved taxing authority to the electorate
146 in the general election; creating s.