

House Bill No. 1113

An act relating to Sarasota County; providing legislative intent; amending, codifying, and reenacting all special acts relating to the Sarasota County Public Hospital District; providing District boundaries; providing for a governing board; providing powers, functions, and duties of the District and its governing board, including express power to sell and exchange real estate; repealing chapters 26468 (1949), 27888 (1951), 31262 (1955), 57-1838, 59-1839, 61-2807, 61-2855, 61-2868, 63-1893, 63-1895, 63-1896, 63-1913, 65-2226, 65-2227, 65-2232, 67-2047, 69-1583, 69-1593, 71-907, 83-525, 84-530, 85-501, 86-373, 87-526, 88-534, 90-411, 90-422, 95-507, and 2000-400, Laws of Florida, except for the provisions approved in referendum on January 10, 1950, conferring ad valorem taxing authority; ratifying actions of the District and the governing board taken pursuant to chapter 69-1583, Laws of Florida; providing severability; providing for construction and effect; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to Sarasota County Public Hospital District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the District including all current legislative authority granted to the District by its several legislative enactments, inclusive of authority conferred in referenda of Sarasota County electors, and any additional authority granted by this act. It is further the intent of this act to preserve all District authority in addition to any authority contained in general law as amended from time to time.

Section 2. Chapters 26468 (1949), 27888 (1951), 31262 (1955), 57-1838, 59-1839, 61-2807, 61-2855, 61-2868, 63-1893, 63-1895, 63-1896, 63-1913, 65-2226, 65-2227, 65-2232, 67-2047, 69-1583, 69-1593, 71-907, 83-525, 84-530, 85-501, 86-373, 87-526, 88-534, 90-411, 90-422, 95-507, and 2000-400, Laws of Florida, are amended, codified, reenacted, and repealed as herein provided.

Section 3. The Sarasota County Public Hospital District is re-created, and the charter for such District is re-created and reenacted to read:

Section 1. (1) The Sarasota County Public Hospital District (“District”), an independent special district, is hereby established with jurisdiction extending territorially throughout all of Sarasota County, which territory is hereby known as the Sarasota County Public Hospital District, and which shall be governed by the Sarasota County Public Hospital Board (“Hospital Board”), as a body corporate.

(2) For purposes of election of Hospital Board members, the Hospital Board shall create three hospital board districts within the Sarasota County Public Hospital District, the boundaries of which shall be within the boundaries of Sarasota County, which shall be designated as northern, central, and

southern districts, and which shall be as nearly equal in population as practicable. The Hospital Board by resolution adopted from time to time, at intervals of no more than 10 years, shall fix the boundaries of the districts along the lines of precincts as they exist at the time such boundaries are fixed. A certified copy of the resolution shall be furnished by the secretary of the Hospital Board to the Sarasota County Supervisor of Elections at least 10 months prior to the next ensuing general election following adoption of the resolution.

(3) The membership of the Hospital Board shall consist of nine members, all of whom must be qualified electors of the District. Commencing with the election of 1988, two such members must reside in each of said hospital board districts. All members shall be elected in a partisan election by the qualified electors of the District. Two members who are residents of the southern district shall be elected to district seats in 1986 and every fourth year thereafter; two members who are residents of the northern district shall be elected to district seats in 1986 and every fourth year thereafter; one member who is a resident of the central district shall be elected to a district seat in 1986 and every fourth year thereafter; one member who is a resident of the central district shall be elected to a district seat in 1988 and every fourth year thereafter; and three members shall be elected to at-large seats in 1988 and every fourth year thereafter. Candidates for the six district seats and the three at-large seats shall be numerically or otherwise grouped for a specific seat on primary or general election ballots as provided in the Florida Election Code. Candidates for district seats shall be placed in districts on primary and general election ballots. In any year in which hospital board district seats are to be filled, the hospital board district (northern, central, or southern) shall be printed on the ballot beneath the name of the office. The format of the ballot shall be in conformity with the Florida Election Code. Four members who were elected for 4-year terms in the election of November 2000 shall serve until the expiration of their terms of office, and four members shall be elected for 4-year terms in 2004 and each fourth year thereafter. Five members who were elected for 4-year terms in the election of November 2002 shall serve until the expiration of their terms of office, and five members shall be elected for 4-year terms in 2006 and each fourth year thereafter.

(4) If a vacancy occurs on the Hospital Board due to a member's death, resignation, removal from office for neglect of duty, removal of residence from the territorial limits of the county, or removal of residence from the territorial limits of the district in the case of a district seat holder, the remainder of the Hospital Board shall appoint a temporary member to fill the vacancy until the next ensuing general election, at which time a new member must be elected for the remainder of the term of the member whose membership has been so vacated. To be eligible for appointment to such Hospital Board, a person must be a qualified elector of the territory covered by this act, and if the vacancy occurs in a hospital board district seat, such person must also be a resident of that district in which the vacancy occurs.

(5) The term of office of a Hospital Board member begins on the Tuesday 2 weeks following the day of general election in which the member is elected.

The term of office of a member's immediate predecessor expires contemporaneously with the commencement of the term of such newly elected member.

(6) Each Hospital Board member shall attend not less than 75 percent of the regular meetings of the Hospital Board during each year of such board member's term. For purposes of this subsection, the year of a board member's term commences on the date, followed by the yearly anniversary of the date, upon which the board member takes office. The failure of any Hospital Board member to meet this attendance requirement without being excused by the chair of the Hospital Board constitutes neglect of duty. By resolution specifying facts sufficient to advise a Hospital Board member as to the basis for his or her suspension or removal and after providing the Hospital Board member with reasonable notice and an informal opportunity for him or her to be heard, the Hospital Board may suspend or remove from office any Hospital Board member for neglect of duty. If a vacancy occurs on the Hospital Board due to removal from office pursuant to this subsection, the remainder of the Hospital Board shall fill the vacancy in the manner set forth in subsection (4).

Section 2. The members of said Hospital Board shall receive no salary as board members but shall be reimbursed for the amount of actual expenses incurred by them in the performance of their duties. Reimbursement for mileage shall include mileage from members' places of residence to Hospital Board facilities and return and for vicinity mileage incurred in the performance of their duties and shall be computed as provided in section 112.061, Florida Statutes. The travel expenses, subsistence, and lodging expenses of a member may not exceed those prescribed by section 112.061, Florida Statutes, unless actual reasonable expenses in excess of those prescribed by section 112.061, Florida Statutes, are specifically authorized prior to the incurring of such expenses, by action of the Hospital Board taken at a regular monthly meeting at which the question of such expenses appears as a separate item on the agenda.

Section 3. The Hospital Board shall select a meeting place and a place for its principal office, and the board meetings shall be held at least once a month. The Hospital Board may elect one of its members to serve as secretary, one to serve as assistant secretary, one to serve as treasurer, and two to serve as assistant treasurers; or it may appoint persons not members of the Hospital Board to serve in those capacities. There shall be a chair of the board, a first vice chair, and a second vice chair. The Hospital Board is authorized to establish and maintain a refund account in a commercial bank of its choosing and may designate the president, executive vice president, vice presidents, business office manager, or controller of the Hospital Board, or any of them, as the sole authorized signatories for such refund account. The president appointed by the Hospital Board, the chair, the first vice chair, the second vice chair, the treasurer, and the assistant treasurers shall be empowered to issue, without a cosignature, warrants for payment of salaries and wages of employees of the Hospital Board. All other vouchers and warrants shall be issued by either the treasurer or assistant treasurer and shall be signed by the chair, and in the event of the absence of the chair, by the first vice chair, and in the event of the absence of the chair and the first vice chair, by the second vice chair. The Hospital Board is authorized

to issue its checks, warrants, and vouchers bearing facsimile signatures which are affixed by check-signing machines and devices of the officers and employees of the Hospital Board who are authorized to sign on its behalf. Said treasurer and assistant treasurers shall give bonds, in amounts to be designated by a majority vote of said Hospital Board, of the faithful performance of their duties, by some reputable bonding company authorized to do business in the State of Florida. The said Hospital Board is authorized to pay to the treasurer, assistant treasurers, secretary, and assistant secretary a salary and expenses commensurate with the work done and in keeping with the salary paid for like work by other businesses in the community from time to time.

Section 4. The said Sarasota County Public Hospital Board, as the governing body of the District, is hereby declared to be a body corporate and it shall adopt a common seal.

Section 5. The duties of the secretary duly elected by said Hospital Board shall be to keep full and correct minutes of all proceedings and minutes of the Hospital Board. The duties of the treasurer duly elected by said Hospital Board shall be to keep a separate account of all expenditures and disbursements by said Hospital Board and an account of all receipts.

Section 6. The said Hospital Board shall make and adopt such bylaws, rules, and regulations for its guidance and for the governance of any hospitals that may be established, as may be deemed expedient for the economic and equitable conduct thereof, and shall have exclusive control of the expenditures of all moneys collected or paid to the secretary of the Hospital Board, and shall have power to purchase a site or sites, and to construct any hospital building or buildings necessary, and shall have full supervision, care, and custody of all properties belonging to said Sarasota County Public Hospital Board, or leased to it, or set apart to it for its purposes. Said Hospital Board shall also have the right to buy at a reasonable price any buildings or hospitals which may be now in use and suitable for the purposes of said Board.

Section 7. All moneys and receipts for such hospital or hospitals and other health care services, if any, shall be deposited in a bank or banks designated by said Hospital Board and placed to the credit of said Hospital Board. Such moneys may be paid out in the same manner as provided in section 3, without an order from said Hospital Board, for general operating expenses including, but not limited to, such categories of expense as drugs, food, fuel, linens, supplies, laundry, medicines, salaries, wages, utilities, and items of equipment; for capital expenses for land, buildings, and equipment; and for other valid corporate purposes. The Hospital Board is empowered to adopt resolutions or to adopt provisions in its bylaws from time to time which establish a procedure which requires the approval and order of the Hospital Board for the payment of any of the foregoing designated categories of expense which exceed a dollar amount or which meet any other expense criteria as established in such Hospital Board resolutions or bylaws. When such items requiring board approval have been approved by the Hospital Board in regular session and a voucher issued, a warrant may be drawn for same.

Section 8. A majority of said Hospital Board shall constitute a quorum for the transaction of its business, and said Hospital Board shall be and is hereby authorized and empowered:

(1) To appoint a suitable president, fix his or her compensation, remove any such appointee, and authorize the president to do all things reasonable and necessary to direct the operations and activities of facilities owned or operated by the Hospital Board.

(2) To acquire by purchase, gift, or otherwise real and personal property necessary or useful for the construction, operation, and maintenance of hospital buildings and other buildings necessary, in the opinion of the Hospital Board, for health care purposes; to sell or exchange real estate or any interest in real estate; and to construct hospitals, health facilities which may include outpatient health facilities and medical offices, and buildings and accessories incidental thereto on such real estate, and, if such construction occurs within the Memorial Hospital Core as defined by the Comprehensive Plan of the City of Sarasota, to do so without regard to municipal and county zoning ordinances, laws, and regulations.

(3) To adopt from time to time resolutions requesting the Board of County Commissioners of Sarasota County to call elections in the District for the purpose of submitting to the qualified electors in the District the question of issuing bonds of the District for the purpose of acquiring a site or sites, the construction thereon of a hospital or hospitals and buildings incidental thereto, and to improve buildings or buildings and the furnishings and equipping of any such hospital or hospitals and buildings. Said Hospital Board may adopt such resolutions on its own initiative and shall adopt such resolutions upon the filing with it of a petition signed by not less than 5 percent of the qualified electors of the District requesting the Hospital Board to adopt such resolutions. Upon the adoption of such resolution by the Hospital Board, it shall be the duty of the Board of County Commissioners of Sarasota County to forthwith adopt a resolution or resolutions which order an election to be held in such county and provide for the date of such elections and the publication of notices thereof, all in the form and manner provided by law.

(4) To issue negotiable coupon bonds of the District, from time to time, if approved by a majority of the votes cast in an election by the qualified electors of the District, bearing interest at such rate or rates not exceeding 6 percent per annum, maturing at such time or times not exceeding 30 years from the date thereof, and redeemable at such times and at such price or prices, all as said Hospital Board may determine by resolution, and to sell such bonds at public or private sale and for such price, not less than 95 percent of the par value thereof, as said county Hospital Board may by resolution determine.

(5) To supervise, operate, and maintain all properties belonging to it.

(6) To enter into contracts or leases with any individual, corporation, public body, board of commissioners, the State of Florida, Sarasota County, or any municipality, or agency or instrumentality of said state, county, or

municipality, with respect to the use of any of the property belonging to the Hospital Board by any thereof.

(7) To borrow money from any person, firm, association, corporation, or governmental agency necessary for the purpose of purchasing property, constructing buildings, equipping the hospital or hospitals or other health facilities owned or operated by the Hospital Board, and maintaining said hospital or hospitals or other health facilities, from time to time as may be necessary in properly carrying out the spirit and purpose of this act, and as evidence thereof to make, execute, and deliver promissory notes or other evidences of other indebtedness; and, to the extent permitted by the Florida Constitution and general laws, to secure the payment of same by mortgages, liens, and other kinds of security upon any property owned or held by the Hospital Board.

(8) To certify to the Board of County Commissioners of Sarasota County the amount of the principal and interest upon bonds issued by the Hospital Board and falling due in which any such principal or interest may be payable and the amount necessary to be raised in the District for the purposes of providing a fund sufficient in the opinion of the Hospital Board to pay the cost of operating and maintaining properties of the Hospital Board in each year. In the event bonds shall be issued under the provisions of this act, it shall be the duty of the Hospital Board to certify such facts in writing to the Board of County Commissioners within 30 days after the delivery of such bonds and on or before the expiration of each 12-month period thereafter, and it shall be the duty of the Board of County Commissioners to levy upon all taxable property in the District and collect a tax sufficient to provide funds for the payment of the principal and the interest upon such bonds as such principal and the interest upon such bonds fall due and a tax, not to exceed 2 mills on assessed valuation of property in the District, to provide funds for the operation, maintenance, and repair of and for the making of alterations and additions to any hospitals established by the Hospital Board under the provisions of this act. The proceeds of all such taxes shall be paid over to the secretary and treasurer of the District as such taxes are received.

(9) To certify to the Board of County Commissioners of Sarasota County, on or before the 15th day of each month commencing with the month of November 1959, a list of all the medically indigent persons who have been hospitalized in any of the hospitals which are operated by the Hospital Board during the preceding month, together with the itemized charges for the hospital services and care for each of said medically indigent persons which have been rendered in such preceding month by the said hospital. The Board of County Commissioners of Sarasota County shall, within 45 days after the receipt of such certified list of medically indigent patients with the hospital charges, make remittance to the treasurer of the Hospital Board of the sum total of the amount shown on the certified list to be the amount owing to the Hospital Board for the hospital services and care rendered to the medically indigent persons during the month embraced in said certification.

The Hospital Board shall give written notice to the Welfare Department of Sarasota County of the proposed admission of each medically indigent

person to hospitals operated by said Hospital Board, prior to the actual admission of each such medically indigent person, provided, however, that notice to said Welfare Department prior to the admission of a medically indigent person shall not be required in emergency cases.

The said Board of County Commissioners shall in like manner reimburse any other hospital in Sarasota County, approved by the State Board of Health, for hospital services rendered to medically indigent persons as herein defined, upon like certification by such hospital and at such rates as shall not exceed those prescribed for such patients by hospitals owned and operated by said Hospital Board.

The term "medically indigent person," as used in this act, shall be deemed to mean an inhabitant of Sarasota County who is ill or injured and who requires treatment in a hospital as prescribed and ordered by a physician and who is unable to provide himself or herself with such necessary hospital services.

(10) To expend hospital funds and withhold employees' wages in order to make payment (including any amount paid for insurance and annuities, or into a fund, to provide for any such payment) to or on behalf of an employee of the Hospital Board or any of his or her dependents under any plan or system established by the Hospital Board, when such payment is on account of (a) retirement; (b) sickness or accident disability; (c) medical or hospitalization expenses in connection with sickness or accident disability; or (d) death.

(11) To expend funds and provide facilities and personnel to conduct formal and informal courses of instruction, demonstration, and education through hospitals under its jurisdiction relating to hospital procedures, services, and care and the operation and care of apparatus and equipment utilized in connection with usual hospital functions, and to authorize the participation in such courses with private or other governmental agencies; and to award scholarship grants and make scholarship loans to qualified students of nursing, X-ray technology, and other hospital-related fields of study in consideration for the promises of such students to enter the employment of said Hospital Board and to meet other conditions and requirements to be established by said Hospital Board from time to time.

(12) To provide hospital and other health care services within the confines of facilities which are owned or operated by the Board. Additionally, the Hospital Board is authorized to provide hospital and other health care services within the boundaries of the Hospital District but outside of facilities which are owned or operated by the Board, provided that the Hospital Board shall adopt a resolution or resolutions from time to time defining the type and scope of hospital and other health care services which the Hospital Board employees, agents, and staff are authorized to render outside of the facilities of the Board.

(13) To participate, to the extent permitted by the constitution and laws of this state, as a shareholder in a corporation, as a joint venturer in a joint venture, as a partner in a limited partnership or a general partnership, or

as a member of any other lawful form of business organization which provides health care or engages in activities related thereto; to make or arrange for loans, contributions to capital, and other debt and equity financing for the activities of such corporations, joint ventures, partnerships, or other lawful forms of business organization and to guarantee loans for such purposes; to elect the boards of directors of its not-for-profit corporations; and to utilize, for any lawful purpose, assets and resources of the Hospital Board to the extent not needed for health care and related activities.

(14) To establish a fund out of hospital revenues other than those revenues derived from ad valorem taxation to promote the activities of the facilities owned or operated by the Hospital Board. The term "promote," as used in this subsection, shall be defined in its broadest sense to include, but not be limited to, advertising, the extension of hospitality or entertainment, the use of news media, and the employment of public relations methods. Expenditures from the fund shall be limited to those determined by the Hospital Board to be reasonable and necessary to encourage and develop support for the facilities owned and operated by the Hospital Board. The Hospital Board may adopt rules for the effective implementation of this subsection.

(15) To compromise and settle any accounts receivable or other claim for money due and owing to the hospital by persons unable to pay on demand according to such terms and conditions as the Hospital Board in its discretion may determine. The Hospital Board is further authorized and empowered to sell, assign, or convey to any person, financial institution, or organization the right, title, and interest in any account receivable or judgment owned by the Hospital Board by full or partial payment of such account or judgments as the Hospital Board in its discretion may determine.

(16) To establish, own, provide, or participate in health maintenance organizations, in preferred provider organizations, in food services, and in other health-care-related activities using assets and resources of the Hospital Board to the extent not needed for health care. Any of such activities may be carried out by the Hospital Board through any of its forms of organization authorized under this act.

(17) To the extent permitted by the constitution and laws of this state, to establish, operate, or support subsidiaries and affiliates, either for profit or not for profit, to assist the Hospital Board in fulfilling its declared public purpose of provision for the health care needs of the people of the District; to establish or support nonaffiliated, not-for-profit corporations which operate primarily within the District and which have as their purposes the furtherance of the Hospital Board's provision for the health care needs of the people of the District; and to accomplish such establishment, operation, or support of any such subsidiary, affiliate, or nonaffiliated, not-for-profit corporation by means of loans of funds either interest free or at low interest, leases of real or personal property either rent free or for low rental, gifts and grants of funds, or guarantees of indebtedness of such subsidiaries, affiliates, and nonaffiliated, not-for-profit corporations. The establishment, operation, or support of a subsidiary or affiliate corporation or nonaffiliated, not-for-profit corporation is hereby found and declared to be a public purpose

and necessary for the preservation of the public health and for a public use and for the welfare of the Hospital Board and inhabitants of the District. It is the intent of the Legislature to authorize the formation of the entities described in this section to further the interests of the residents of Sarasota County in maintaining the financial well-being of Memorial Hospital of Sarasota by providing, directly or indirectly, for the delivery, financing, and support of hospital and nonhospital health care services and related activities to the extent consistent with the financial, patient acquisition, and development needs of Memorial Hospital of Sarasota.

(18) In addition to any investment authorized by general law, and to the extent permitted by the constitution of this state, to invest any funds in its control or possession in the following:

(a) Bankers' acceptances which are drawn upon and accepted by a commercial bank which is a member bank of the Federal Reserve System maintaining capital accounts in excess of 7.5 percent of total assets, and which member bank or its holding company carries a credit rating in one of the two highest alphabetical categories from at least two nationally recognized debt rating agencies.

(b) Commercial paper of prime quality rated by at least two nationally recognized debt rating agencies in the highest letter and numerical rating of each agency. If not so rated, such prime quality commercial paper may be purchased if secured by a letter of credit provided by a commercial bank, which bank or its holding company carries a credit rating in one of the two highest alphabetical categories from at least two nationally recognized debt rating agencies.

(c) Interest-bearing bonds, debentures, and other such evidence of indebtedness with a fixed maturity of any domestic corporation within the United States which is listed on any one or more of the recognized national stock exchanges in the United States and conforms with the periodic reporting requirements under the Securities Exchange Act of 1934. Such obligation shall either carry ratings in one of the two highest classifications of at least two nationally recognized debt rating agencies or be secured by a letter of credit provided by a commercial bank, which bank or its holding company carries a credit rating in one of the two highest alphabetical categories from at least two nationally recognized debt rating agencies.

(d) Negotiable direct obligations of, or obligations the principal and interest of which are unconditionally guaranteed by, the United States Government at the then prevailing market price for such securities; and obligations of the Federal Farm Credit Banks, Federal Home Loan Mortgage Corporation, or Federal Home Loan Bank or its district banks, including Federal Home Loan Mortgage Corporation participation certificates, or obligations guaranteed by the Government National Mortgage Association, or obligations of such Federal Agencies and Government Sponsored Enterprises which are qualified for purchase under paragraph (f); which are purchased and sold under repurchase agreements and reverse repurchase agreements. Repurchase agreements and reverse repurchase agreements may be entered into only with a member bank of the Federal Reserve System or primary

dealer in U. S. Government Securities, which member bank or primary dealer must have \$100 million in capital. Securities purchased or repurchased by the Hospital Board shall be delivered to the Hospital Board or its agent versus payment.

(e) Purchase of options so as to engage in bona fide hedging activities for the purpose of protecting the asset value of the underlying portfolio, provided the instruments for such purpose are traded on a securities exchange or board of trade regulated by the Securities Exchange Commission or the Commodity Futures Trading Commission.

(f) Negotiable direct obligations of Federal Agencies or Government Sponsored Enterprises(GSE) which meet each of the following criteria:

1. An agency or GSE with at least \$10 billion in outstanding debt.
2. A rating of at least an AA by a nationally recognized securities rating agency.
3. A selling group of at least three nationally recognized securities dealers.
4. Chartered by or pursuant to an Act of Congress.
5. Bonds issued under authority of, or pursuant to, an Act of Congress.
6. Accepted as security for fiduciary, trust, and public funds under control of the United States Government.
7. Eligible as collateral for Federal Reserve Bank discount window transactions.
8. Eligible as collateral for Treasury Tax and Loan accounts.
9. Eligible for National Bank purchase without regard to statutory limitations and restrictions generally applicable to investment securities.
10. Authority to borrow from the United States Treasury.

(19) In addition to other power and authority conferred by this act or by general law, the Hospital Board is vested with the following powers for issuance of revenue bonds of the District:

(a) The Hospital Board is hereby authorized to provide by resolution at one time or from time to time for the issuance of revenue bonds of the District for the purpose of paying all or a part of the cost of acquisition, construction, planning, leasing, repairing, extensions to, additions, equipping, and reconstruction of any hospital buildings and facilities of the District. The bonds of each issue shall be dated, shall bear interest at such rate or rates not exceeding 7 percent per annum, shall mature at such time or times, not exceeding 40 years from their date or dates, as may be determined by the Hospital Board, and may be made redeemable before maturity, at the option of the Hospital Board, at such price or prices and under such terms and conditions as may be fixed by the Hospital Board prior to the issuance

of the bonds. The Hospital Board shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds and coupons, and shall fix the denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the state. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he or she had remained in office until such delivery. All bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments laws of the state. The bonds may be issued in coupon or in registered form, or both, as the Hospital Board may determine, and provisions may be made for the registration of any coupon bonds as to the principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The issuance of such bonds shall not be subject to any limitations or conditions contained in any other law, and the Hospital Board may sell bonds in such manner at public or private sale and for such price as it may determine to be for the best interest of the Hospital Board, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than 7 percent per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, excluding, however, from such computations the amount of any premium to be paid on redemption of any bonds prior to maturity. Prior to the preparation of definitive bonds, the Hospital Board may, under like restrictions, issue interim receipts or temporary bonds with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The Hospital Board may also provide for the replacement of any bonds which shall be mutilated, destroyed, or lost.

(b) Bonds may be issued under the provisions of this act without obtaining the consent of any commission, board, bureau, or agency of the state or county and without any other proceedings or the happening of any other condition or thing than those proceedings, conditions, or things which are specifically required by this act.

(c) No approval of the issuance of the revenue bonds herein authorized at an election of the freeholders who are qualified electors residing in the District shall be necessary unless such election is required by the Constitution of the State of Florida; then, and only in such event, such election shall be called, noticed, and conducted and the results thereof determined and declared as may be required by the general laws of the state.

(d) The proceeds of the bonds shall be used solely for the payment of the cost of the hospital facilities for which such bonds shall have been authorized and shall be disbursed in the manner provided in the resolution or in the trust agreement authorizing the issuance of such bonds. If the proceeds of the bonds of any issue shall exceed the amount required for the purpose for which the same shall have been issued, the surplus shall be set aside and used only for the payment of the cost of additional hospital facilities or shall

be deposited in the sinking fund for such bonds. In the event that the actual cost of the hospital facilities exceeds the estimated cost, the Hospital Board may issue additional bonds to cover the deficiency, subject to the same restrictions as required for the original issue.

(e) The Hospital Board is authorized and empowered to fix, charge, and collect rates, fees, and charges for the use of and for the services furnished or to be furnished by any hospital facilities under the supervision, operation, and control of the Hospital Board in amounts sufficient, with any other funds legally available therefor, first to pay the principal of and the interest on any revenue bonds issued under the provisions of this act, including reserves therefor, and second to pay the cost of operating and maintaining such hospital facilities.

(f) Revenue bonds issued under the provisions of this act may be payable from the revenues derived from the operation of any hospital facility or combination of hospital facilities of the District under the supervision, operation, and control of the Hospital Board and from any other funds legally available therefor. The issuance of such revenue bonds shall not directly, indirectly, or contingently obligate the state, Sarasota County, the Hospital Board, or the District to levy any ad valorem taxes or to make any appropriations for their payment or for the operation and maintenance of the hospital facilities of the District.

(g) The Hospital Board shall not convey or mortgage any hospital facility or any part thereof as security for the payment of the revenue bonds.

(h) In the discretion of the Hospital Board, each or any issue of such revenue bonds may be secured by a trust agreement by and between the Hospital Board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the state. Such trust agreement may pledge or assign the revenues to be received by the Hospital Board. The resolution providing for the issuance of revenue bonds or such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable, proper, and not in violation of law, including covenants setting forth the duties of the Hospital Board in relation to the acquisition, construction, improvement, maintenance, operation, repair, equipping, and insurance of the hospital facilities, and the custody, safeguarding, and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of this state to act as such depository and to furnish such indemnifying bonds or to pledge such securities as may be required by the Hospital Board. Such resolution or such trust agreement may restrict the individual right of action by bondholders as is customary in trust agreements securing similar securities. In addition to the foregoing, such resolution or such trust agreement may contain such other provisions as the Hospital Board may deem reasonable and proper for the security of the bondholders. Except as in this act otherwise provided, the Hospital Board may provide, by resolution or by trust agreement, for the payment of the proceeds of the sale of the revenue bonds and the revenues of the facilities to such officer, board, or depository as it may determine for the custody thereof, and for the method of disbursement thereof, with such safeguards and restrictions as it may

determine. All expenses incurred in carrying out such trust agreement may be treated as a part of the cost of operation of the facilities affected by such trust agreement.

(i) The resolution or trust agreement providing for the issuance of the revenue bonds may also contain such limitations upon the issuance of additional revenue bonds as the Hospital Board may deem proper, and such additional bonds shall be issued under such restrictions or limitations as may be prescribed by such resolution or trust agreement.

(j) The Hospital Board is hereby authorized to provide by resolution for the issuance of refunding revenue bonds for the purpose of refunding any revenue bonds, respectively, then outstanding and issued under the provisions of this act. The Hospital Board is further authorized to provide by resolution for the issuance of revenue bonds for the combined purpose of paying the cost of any acquisition, construction, planning, leasing, extension to, addition, improving, equipping, or reconstruction of a facility or facilities of the District and refunding revenue bonds of the District which shall theretofore have been issued under the provisions of this act and shall then be outstanding. The issuance of such bonds, the maturities and other details thereof, the right and remedies of the holders thereof, and the rights, powers, privileges, duties, and obligations of the District with respect to the same shall be governed by the foregoing provisions of this act insofar as the same may be applicable.

Section 9. If the Hospital Board and the owners of the property desired by said Hospital Board for hospital purposes cannot agree as to the price to be paid therefor, said Hospital Board is empowered to bring condemnation proceedings against said property for the purpose of condemning said property for public hospital purposes, and said Hospital Board is hereby authorized and empowered to employ an attorney or attorneys to prosecute said condemnation proceedings. The said Hospital Board is hereby given and granted the same powers as the counties of this state so far as condemnation of property is concerned and the same procedure shall be followed. The right of eminent domain hereby granted shall be exercised in accordance with the provisions of chapter 74, Florida Statutes, in the same manner as therein provided for the acquiring of right-of-way for the state highway system and to take title to lands in fee simple absolute or such lesser estate as may be specified in the declaration of taking, upon the deposit of such sum as the court shall determine will fully secure and fully compensate the persons lawfully entitled to compensation.

Section 10. Any hospital established under this act shall be for the benefit of the inhabitants of said territory, but said hospital may extend the privileges and use of said hospital for persons residing outside of said District, upon such terms and conditions as the Hospital Board may from time to time by its rules and regulations prescribe. Every such person or inhabitant who is not a pauper shall pay said Hospital Board a reasonable compensation for occupancy, nursing, care, medicine, and attendance according to the rules and regulations prescribed by said Hospital Board. Each municipal corporation situated within the District shall be liable to said Hospital Board for occupancy, nursing, care, medicine, and attendance for prisoners

in the custody of any such municipal corporation who are admitted to any hospital operated by said Hospital Board. Said hospital always shall be subject to such rules as such Hospital Board may adopt from time to time in order for said hospital to render the greatest benefit to the greatest number, and said Hospital Board may exclude from treatment and care any indigent or paying case having a communicable or contagious disease when such disease may be a detriment to the best interests of such hospital or a source of contagion or infection to the patients in its care, unless a separate building or ward has been established for the special treatment and care of patients having communicable or contagious diseases and it can properly and with safety to the other patients retain such communicable cases in such separate building or ward.

Section 11. When such hospital or hospitals are established, the physicians, nurses, attendants, the persons sick therein, and all other persons approaching or coming within the limits of same, and all furniture or other articles used or brought there, shall be subject to such rules and regulations as said Hospital Board may prescribe.

Section 12. The Hospital Board shall organize a staff of physicians and dentists, and the Hospital Board is authorized to give, grant, or revoke staff membership and privileges of the medical staff members for practice in the hospital or hospitals maintained under this act so that the welfare and health of patients and the best interests of the hospital may, at all times, be best served. Membership on the medical staff of the hospital or hospitals owned by the Hospital Board shall be restricted to persons with the following qualifications:

(1) Graduates of:

(a) Recognized medical schools approved and accredited by the American Medical Association;

(b) Recognized dental schools approved and accredited by the American Dental Association;

(c) An accredited college of osteopathy who have successfully completed an internship or residency for at least 1 academic year of supervised clinical training in a hospital affiliated with a medical school approved by the Council of Medical Education of the American Medical Association, or who have successfully completed any equivalent program established by or relating to the American Osteopathic Association; or

(d) A foreign medical school who meet the qualifications for licensure prescribed by section 458.311 or section 458.313, Florida Statutes; and

(2) Who are legally licensed to practice medicine, osteopathy, or dentistry in the State of Florida and who are qualified for membership in the Sarasota County Medical Society or the Sarasota County Dental Society, and who are regularly practicing physicians or dentists in the territory in which that hospital or hospitals are located, and who are competent to perform the work required of physicians or dentists with similar privileges on the hospital staff.

The term “physician,” as used herein, includes only physicians licensed to practice medicine under the Florida Medical Practice Act, chapter 458, Florida Statutes, and physicians licensed to practice osteopathic medicine under chapter 459, Florida Statutes.

Medical staff membership or professional privileges shall not be denied to any applicant solely because the applicant is licensed as a doctor of medicine under chapter 458, Florida Statutes, as a doctor of osteopathy under chapter 459, Florida Statutes, nor shall professional privileges be denied to an applicant solely because the applicant is licensed as a doctor of podiatry under chapter 461, Florida Statutes.

Any patient shall have the right to employ at his or her expense his or her own physician or dentist, provided such physician or dentist shall have been accorded privileges in the hospital. A physician or dentist, when employed by the patient, shall have exclusive charge of the care and treatment of such patient, subject always to such general rules and regulations as shall be established by the Hospital Board under the provisions of this act. It shall be the duty of the medical staff to organize in the manner prescribed by the said Hospital Board.

The Hospital Board is further authorized and empowered to set up rules and regulations for the control of all professional and nonprofessional employees of the hospital, which terms shall include nurses on general duty or on private duty attending patients, and all parties in the hospital, either as employees or in any manner in attendance of patients.

Section 13. The millage necessary for the maintenance of said Hospital District shall not exceed a maximum of 2 mills per annum. The millage necessary to pay the interest and provide a sinking fund on bonded indebtedness shall be levied separately from the millage necessary for maintenance of the hospital or hospitals to be constructed or purchased under the provisions of this act, and the Board of County Commissioners of Sarasota County shall make said levy pursuant to the provisions of section 14 of this act.

Section 14. (1) The County Property Appraiser of Sarasota County, immediately after said Hospital Board shall have been appointed, shall report in writing to said Hospital Board the assessed valuation on all taxable property within the limits of said District as assessed valuation for taxation by said Hospital Board, and said report shall be made by said Property Appraiser each year thereafter immediately after the tax assessment of said District for that year shall have been reviewed and equalized by the Board of County Commissioners of Sarasota County. Said Hospital Board shall present each year, determined by resolution, the total amount to be raised by taxation upon said taxable property located within said hospital district for such year. The amount necessary to pay the interest for sinking fund or bonded or other secured indebtedness, and the amount necessary for the operation, maintenance, repair, alteration, and addition, shall be stated separately. Said Hospital Board shall thereupon determine the rate of taxation which, when levied upon the assessed valuations of all taxable property within said District, will raise the sums of money theretofore determined by resolutions, as the total amount to be raised for such year by taxation, and

shall by resolution levy and fix the rate of taxation on all property in said District, the rate to be levied for operation, maintenance, repair, alteration, and addition to be fixed separately, and the rate for such operation, maintenance, repair, alteration, and addition not to exceed 2 mills per annum.

A certified copy of said Tax Resolution, executed by the chair of said Hospital Board and attested by the secretary of said Hospital Board, under its corporate seal, shall be made and delivered to the Board of County Commissioners of Sarasota County on or before August 1 of each year, or within 15 days after receipt of the tax assessment roll from the County Property Appraiser. It shall be the mandatory duty of said Board of County Commissioners of Sarasota County to order and direct the County Property Appraiser of Sarasota County to assess and levy, and to order and direct the County Tax Collector of said county to collect, the tax at the rate fixed and determined by said resolution of the said Hospital Board, upon all taxable property located within said District, and the said levies and assessments shall be included in the tax roll and warrant of said Property Appraiser of said county for each fiscal year thereafter. The said Tax Collector shall collect said taxes in the same manner and at the same time as state and county taxes are collected and shall pay and remit the same upon the collection thereof to the said Hospital Board.

(2) In the event the millage authorized herein be reduced in the year of a revaluation as provided in section 193.03, Florida Statutes, 1965, then in each and every year thereafter the millage to be levied may be increased (a) by not more than 10 percent of what it was in the preceding year, or (b) by no more than that which is required for a 10-percent increase in the amount which was yielded by millage levied for such Hospital District in the year immediately preceding such revaluation, whichever is greater, provided that nothing herein shall be construed to alter the 2-mill limitation imposed by section 13 hereof.

Section 15. The Hospital Board shall have power to determine whether or not persons presented to said public hospital for treatment are subject to charity and shall fix charges for occupancy, nursing, care, medicine, and attendance, other than medical or surgical attendance, for these persons able to pay for same, as the Hospital Board may deem just and proper, and all receipts therefor shall be deposited to the credit of the Hospital Board.

Section 16. Any person or persons, firms, organizations, corporations, or societies desiring to make donations of money, personal property, or real estate for the benefit of any hospital or hospitals erected under this act shall have the right to vest title of the money, personal property, or real estate so donated in said Hospital Board, to be controlled when accepted by said Hospital Board, according to the terms of the bequests, devises, or gifts pertaining to such property.

Section 17. The Hospital Board shall have the right to operate or participate in a nonprofit hospital service plan whereby hospital care may be furnished by the said corporation or by any hospital or hospitals established by said Hospital Board, and said Hospital Board may agree with the subscribers to certain hospital care, and said Hospital Board and those persons

with whom it deals on the nonprofit hospital service plan shall be exempt from provisions of the insurance laws of the State of Florida pertaining to insurance which may in any way conflict with the hospital service plan of said Hospital Board. When a contract for hospital service has been executed, the Hospital Board shall be required to render the service set forth in said contract and the other party to the contract shall be required to fully comply with his or her parts of said agreement.

Section 18. The purposes for which any hospital created under the provisions of this act shall be used are hereby declared to be for public purposes.

Section 19. The term "mill," as used in subsection (8) of section 8 of this act and as used in sections 13 and 14 of chapter 26468 (1949), Laws of Florida, as amended, shall be deemed to mean 1/10th part of a cent, and that the application of the rate of 1 mill to each \$1,000 of assessed valuation of property shall yield \$1.

Section 20. The Hospital Board shall be empowered to destroy any of its records together with any of the records of the hospital or hospitals owned and operated by the Hospital Board, provided that such records are photographed or microfilmed prior to their destruction.

Section 21. Sarasota County Public Hospital Board is authorized to construct, maintain, operate, and lease parking facilities for hospital agents, employees, patients, staff members, patient guests, business invitees, and the visiting public in conjunction with hospitals which are under the jurisdiction of the Hospital Board upon real property which is presently owned or which may be subsequently acquired by the Hospital Board. The Hospital Board may enter into lease or franchise agreements with private persons or corporations as tenants or operators of such facilities upon such terms and for such periods of time as the Board may deem appropriate. The Hospital Board shall hold a public hearing, after the publication of a notice of such meeting in a newspaper of general circulation in Sarasota County at least one time no less than 10 nor more than 25 days prior to such hearing: (1) to consider the establishment of rates or fees, if any, which shall be charged to motorists who utilize any such hospital parking facility and (2) to consider any subsequent revisions therein which increase the rates or fees which shall be charged to motorists who utilize the hospital parking facility. The Hospital Board is authorized to pledge the income and revenues derived from such leases and franchise agreements as security for the repayment of loans extended to the Hospital Board as the Hospital Board may deem necessary or desirable from time to time. All real property used for such hospital purposes, either by the Hospital Board or by its licensees and franchisees, shall be exempt from ad valorem taxes of Sarasota County and of any municipality in which such real estate may be located.

Section 22. The Tax Collector of Sarasota County shall issue a special beverage license authorizing the Hospital Board to sell intoxicating beverages for medicinal purposes only in quantities not in excess of 2 ounces per sale, provided such sales are made only to inpatients of any hospital operated by the Hospital Board and only upon the prescription of a duly licensed physician. The special license shall authorize the Hospital Board to pur-

chase alcoholic beverages from any duly licensed manufacturer or distributor of alcoholic beverages as defined in chapter 561, Florida Statutes, and all such manufacturers and distributors have authority to sell alcoholic beverages to the Hospital Board for resale within the limitations of its special license. The Hospital shall be exempt from the payment of a fee for the special license, which shall be renewed annually by filing with the Tax Collector a resolution by the Hospital Board requesting the renewal of the license.

Section 23. Every individual, partnership, firm, association, corporation, institution, governmental district, or other governmental unit, and every combination of any of the foregoing, operating a hospital or hospitals in the County of Sarasota shall be entitled to and is hereby given a lien as herein provided for all reasonable charges for hospital care, treatment, and maintenance of ill or injured persons and the charges for test, laboratory work, X rays, drugs, and other items incident to such care and treatment supplied by or charged to the hospital for the benefit of such ill or injured persons, the total or unpaid part of which is hereafter called hospital bill, which lien shall be and is hereby declared upon all causes of action, suits, claims, counterclaims, and demands accruing to the person or persons to or for whom such care, treatment, or maintenance is furnished, or accruing to the legal representatives of such persons or to the person or persons incurring or liable for the hospital bill, and such lien is also hereby given upon the amounts due or payable under hospitalization insurance, hospital or medical expenses due and payable under public liability policies, or other indemnity, and upon all judgments, settlements, and settlement agreements and the sums payable thereunder rendered or entered into by virtue thereof, on account of illness or injuries giving rise to such causes of action, suits, claims, counterclaims, demands, judgments, settlements, or settlement agreements and which necessitated or shall have necessitated or have directly contributed to the necessity for such hospital care, treatment, and maintenance, and upon proceeds of such insurance or indemnity agreements as above specified, whether the illness or injury be the result of tort or otherwise. The term "hospital care," as used in this section, shall be broadly construed to include all hospital and nonhospital health care services and related activities which are rendered through any hospital or other health care facility owned or operated by the Hospital Board or its subsidiaries or affiliates or nonaffiliated, not-for-profit corporations.

(1) In order to perfect such lien, an executive officer, controller, or agent of a hospital, before or within 30 days after such person shall have been discharged from such hospital, shall file in the office of the Clerk of the Circuit Court of Sarasota County a verified claim in writing setting forth the following: (a) the name and address of such patient, as it shall appear on the records of such hospital, and if the patient is a minor, it shall contain the name of the parents or guardian of such minor patient, (b) the name and location of such hospital, (c) the dates of admission to and discharge of such patient therefrom, (d) the amount claimed to be due for such hospital care, treatment, and maintenance, and (e) to the best knowledge of the person signing such claim, the names and addresses, if the same be known, of all persons, firms, or corporations claimed by such ill or injured person or his

or her legal representative to be liable on hospital or other indemnity insurance if known to claimant; such claimant shall also, within 1 day after the filing of such claim of lien, mail a copy thereof by registered or certified mail with return receipt requested, postage prepaid, to each person, firm, or corporation so claimed to be liable on account of such illness or injuries at the address so given in such statement filed by the hospital claimant. The filing of such claim shall constitute notice thereof to all persons, firms, or corporations who may be liable on account of such illness or injuries, whether or not they are named in such claim, and whether or not a copy of such claim shall have been received by them. Such statement shall not constitute a lien upon anything other than causes of action, suits, claims, counterclaims, demands, and insurance and indemnity proceeds specified in this section, and this is not a general lien upon the property of the persons named in such statement.

(2) The clerk of the circuit court shall endorse on each such claim the date and hour of filing in the official records of Sarasota County or may provide a hospital lien book with proper index in which he or she shall record such claims, and shall show therein the date and hour of such filing. The clerk shall be paid by the claimant, as his or her fee for filing and recording of each claim, the same amount he or she is authorized to charge for recording mortgages.

(3) The clerk shall record any satisfaction which is executed and acknowledged under oath by the lien claimant, or its executive officer, comptroller, or agent, in the official records of Sarasota County at the same filing fees which are required by the clerk for recording satisfactions of mortgages. It shall be the duty of the hospital lien claimant to furnish the patient with a properly executed satisfaction upon payment or discharge of the lien.

(4) No release or satisfaction of any action, suit, claim, counterclaim, demand, judgment, settlement, or settlement agreement shall be valid or effectual as against such lien unless such lienholder shall join therein or execute a release of such lien.

(5) Any acceptance of a release or satisfaction of any such cause of action, suit, claim, counterclaim, demand, or judgment and any settlement of any of the foregoing in the absence of a release or satisfaction of the lien referred to in this act shall prima facie constitute an impairment of such lien, and the lienholder shall be entitled to an action at law for damages on account of such impairment, and in such action may recover from the one accepting such release or satisfaction or making such settlement the reasonable cost of such hospital care, treatment, and maintenance. Satisfaction of any judgment rendered in favor of the lienholder in any such action shall operate as a satisfaction of the lien. Any action by the lienholder shall be brought in the court having jurisdiction of the amount of the lienholder's claim. If the lienholder shall prevail in such action, the lienholder shall be entitled to recover from the defendant all costs allowed by law, together with reasonable attorney's fees to the lienholder's attorney for handling the action. If the plaintiff or counterclaimant shall have employed an attorney for the collection of the claims or damages, including the hospital expenses, on account of or resulting from the illness or injury of said plaintiff or counterclaimant

or on account of or resulting from the illness, injury, or death of a deceased patient, the court costs shall first be paid and the attorney representing such plaintiff or counterclaimant shall receive his or her fees or compensation out of the judgment or settlement proceeds and the hospital lien provided for in this act shall next be fully paid to the hospital, and the balance of the proceeds of any such settlement or judgment, if any, shall then be paid to the plaintiff or counterclaimant.

(6) Upon suit being filed by the patient or on the patient's behalf, the owner or operator of the hospital, as the case may be, may also file in the suit a notice of nonpayment of hospital bill, which said notice shall be recorded and the same shall constitute a lien upon any judgment recovered or settlement made to the extent that the court may determine the hospital's pro rata share for unpaid hospital bill, based upon such equitable distribution of the amount recovered as the court may determine, less its pro rata share of all court costs expended by the plaintiff in the prosecution of the suit and less the reasonable attorney's fees for the plaintiff's attorney, such proration to be made by the judge of the trial court upon application therefor and notice to the adverse party. Such notice shall be served upon all parties to the suit, and their attorneys of record, by registered or certified mail.

(7) If the hospital has given such written notice of its lien and rights against an alleged tortfeasor, a party to said suit, and thereafter settlement of any such claim or action at law is made either before or after suit is filed and the parties fail to agree on the proportion to be paid to each, the court in which the action is pending shall determine the amount to be paid to the hospital in accordance with the provisions of this law.

(8) The provisions of this act shall not be applicable to accidents or injuries within the purview of the Workers' Compensation Act of this state.

(9) No hospital lien provided by this act shall continue for a longer period than 5 years after the claim of lien provided for under subsections (2) and (3) has been filed, unless within that time an action has been commenced in a court of competent jurisdiction by or on behalf of the person to whom the hospital care, treatment, or maintenance was rendered to collect on account or for the illness or injuries necessitating such hospitalization; and in the event that any such action has been commenced within such 5-year period, then such hospital lien shall continue, unless otherwise satisfied, for the duration of any judgment entered in favor of the party claiming damages for the hospital care, treatment, or maintenance, and shall attach to any settlement proceeds made pendente lite and shall continue for 3 years after the date of any such settlement pendente lite.

(10) The acceptance of hospital care shall be deemed and construed as a determination that hospitalization insurance was taken out for the benefit of the hospital and as an equitable assignment of the proceeds to the hospital. Unless the policy or policies are endorsed or assigned to the hospital, the hospital may write or stamp upon every statement rendered that it claims a lien upon the proceeds of all hospitalization insurance, and such legend shall be notice to any corporation into whose possession the statement comes that the hospital has a lien. In this event, payment to policyholder without

settlement direct to the hospital by the insurance company will make the insurance company liable to the hospital for the amount of the bill or so much thereof as the policy indemnifies.

Section 24. Notwithstanding any other provisions of law, all operations of the hospital established under the provisions of chapter 26468 (1949), Laws of Florida, shall remain under the direct control and administration of the Hospital Board established by referendum pursuant to section 21 of said chapter. The Hospital Board shall not take any action which would result in the termination of such direct control and administration unless such action is approved by the electors of Sarasota County at a referendum called for that purpose; however, for purposes of this section, the term "operations of the hospital" does not include:

(1) The operation of nonhospital health care services or related activities, which services or activities may be controlled and administered by subsidiaries or affiliates of the Hospital Board or nonaffiliated, not-for-profit corporations operating primarily within the territory of the Hospital Board; or

(2) The operation and provision of hospital services through any form of shared service arrangement approved by resolution of the said Hospital Board adopted in public session and wherein the Hospital Board shall be represented by two or more Hospital Board members on the governing body of such entity.

Section 25. In order to secure and promote the provision of quality medical services to the public, the authority provided for herein is found by the Legislature to be within the public policy of this state. The Hospital Board is authorized to exercise all the powers granted in this act, and those granted in the Hospital Board's enabling legislation, as amended, in such manner as it may determine to be consistent with the purposes of such enabling legislation.

Section 4. Chapter 26468 (1949), Laws of Florida, which was approved by Sarasota County electors in referendum held on January 10, 1950, is hereby repealed; provided, however, that, as provided in section 189.429(3), Florida Statutes, nothing in this act, including specifically this section 4, shall (i) modify, amend, or alter any covenants, contracts, or other obligations of the Hospital Board with respect to its bonded indebtedness; and (ii) affect the ability of the Hospital Board to levy and collect taxes as permitted under prior law and herein. Chapters 27888 (1951), 31262 (1955), 57-1838, 59-1839, 61-2807, 61-2855, 61-2868, 63-1893, 63-1895, 63-1896, 63-1913, 65-2226, 65-2227, 65-2232, 67-2047, 69-1583, 69-1593, 71-907, 83-525, 84-530, 85-501, 86-373, 87-526, 88-534, 90-411, 90-422, 95-507, and 2000-400, Laws of Florida, are repealed. Chapter 69-1583, Laws of Florida, which was approved by Sarasota County electors in referendum conducted pursuant to such act on November 4, 1969, is reenacted, except for requirements of referendum to approve the act, and all actions heretofore taken by the Sarasota County Public Hospital District and the Sarasota County Public Hospital Board pursuant to the authority and powers conferred by chapter 69-1583, Laws of Florida, are ratified and confirmed.

Section 5. If any section, paragraph, sentence, clause, phrase, or other part of this act shall be declared unconstitutional, or if this act should be declared inapplicable in any case, such declaration shall not affect the remainder of this act or the applicability thereof in any other case.

Section 6. This act shall be construed as remedial and shall be liberally construed to promote the purpose for which it is intended.

Section 7. This act shall take effect upon becoming a law.

Approved by the Governor June 26, 2003.

Filed in Office Secretary of State June 26, 2003.