

## Senate Bill No. 3182

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 the requirements concerning delivery of the written budget to Broward County; revising procedures concerning levying of ad valorem taxes; providing expenditure authority and procedures for budgeted funds up to \$5,000; authorizing expenditures by electronic wire transfers under specified procedures; providing an effective date.

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

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

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

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

(2) The remaining five members shall be appointed by the Governor, and shall, to the extent possible, represent the demographic diversity of the population of Broward County. After soliciting recommendations from the public, the Broward County Board of County Commissioners shall submit to the Governor the names of at least three persons for each vacancy occurring among the five members to be appointed by the Governor, and the Governor shall appoint members to the council from the candidates nominated. The Governor shall make a selection within a 45-day period or request a new list of candidates. All members appointed by the Governor shall have been residents of the county for the previous 24-month period. Such members shall be appointed for 4-year terms, except that the length of the terms of the initial appointees shall be for 2 years. The Governor may remove a member for cause or upon the written petition of a majority of the County Commission plus one. If any of the members of the council required to be appointed by the Governor under the provisions of this subsection shall resign, die, or be removed from office, the vacancy thereby created shall, as soon as practicable, be filled by appointment by the Governor, using the same method as the original appointment, and such appointment to fill a

vacancy shall be for the unexpired term of the person who resigns, dies, or is removed from office.

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

Section 5. Fiscal Year.—

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

(2) On or before July 1 of each year, the Children's Services Council of Broward County shall prepare and adopt a tentative ~~an~~ annual written budget of its expected income and expenditures, including a contingency fund. The tentative annual written budget shall be certified and delivered to the Board of County Commissioners on or before July 1 of each year. Included in each tentative annual certified budget shall be an estimate of the millage rate necessary to be applied to raise the funds budgeted for expenditures, which millage rate shall not exceed a maximum of 50 cents for each \$1,000 of assessed valuation of all properties within the County which are subject to County taxes. The adopted budget and final millage rate shall be certified and delivered to the Board of County Commissioners within 15 days following the council's adoption of the final budget and millage rate pursuant to chapter 200, Florida Statutes.

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

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

Section 6. Levying of Ad Valorem Taxes.—In order to provide funds for the Children's Services Council of Broward County, the council may levy ad valorem taxes annually on all taxable property in the County in an amount not to exceed one-half mill, provided that the authority to levy such taxes has been approved by a majority vote of the electors of the District voting in the Countywide Election to be held in accordance with the requirements of the constitution and the laws of Florida and as set forth in this act. The council shall compute a proposed millage rate within the voter-approved cap necessary to fund the tentative budget and, prior to adopting a final budget, comply with the provisions of section 200.065, Florida Statutes, relating to the method of fixing millage, and shall fix the final millage rate by resolution of the council. ~~The tax shall be assessed, levied, and collected in the same manner and at the same time as is provided by law of the levy, collection, and enforcement of collection of County taxes.~~ All tax money collected under this act, as soon after the collection thereof as is reasonably practicable, shall be paid directly to the Children's Services Council by the Tax Collector of the County and all other applicable County officials. The moneys so received by the Children's Services Council, shall be deposited in a special bank account, shall be withdrawn only by checks signed by the chair of the council and counter-signed by one other member of the council, who shall be

so authorized by the council. The chair and other member of the council who signs its checks shall each give a surety bond in the amount of \$1,000 which bond shall be conditioned that each shall faithfully discharge the duties of their office. No other member of the council shall be required to give bond or other security. No funds of the council shall be expended except by check as aforesaid, except expenditures of petty cash account which shall not at any time exceed \$100. All expenditures from petty cash shall be recorded on the books and records of the Children's Services Council. No funds of the council, except the expenditure of petty cash or issuance of checks made payable for sums no greater than \$5,000, shall be expended without prior approval of the council, in addition to the budgeting thereof. Budgeted expenditures of \$5,000 or less that have not received prior council approval shall be authorized only upon approval of the chief executive officer of the council and shall be reported to the council by written report on a monthly basis. For purposes of this section, electronic wire transfers shall be deemed checks if written authorization for each wire transfer is obtained from the council chair and by an authorized council member.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 17, 2004.

Filed in Office Secretary of State June 17, 2004.