

House Bill No. 1829

An act relating to Holmes County; amending chapter 30843, Laws of Florida (1955), as amended, relating to the Holmes County Hospital Corporation; revising provisions relating to the corporation's issuance of bonds to construct and erect a new hospital facility in Holmes County; repealing various provisions of said chapter; requiring a referendum; providing an effective date.

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

Section 1. Section 1 of chapter 30843, Laws of Florida (1955), as amended, is amended to read:

Section 1. There is hereby created a public non-profit corporation which is hereby designated the Holmes County Hospital Corporation, for the purpose of establishing, acquiring or constructing, erecting, equipping, maintaining and operating ~~at Bonifay~~, in Holmes County a public hospital primarily for the benefit of the citizens and residents of Holmes County, Florida, which hospital shall be known as Holmes County Hospital; and authority is hereby given for said corporation to establish, acquire or construct, erect, equip, maintain and operate a public hospital ~~at Bonifay~~, in Holmes County, Florida, to be known as Holmes County Hospital, such hospital to provide as many beds as practicable and said corporation is further authorized from time to time, when practicable, to extend, enlarge and otherwise increase the size of said hospital and the services to be rendered to the public by said hospital.

Section 2. Subsection (i) of section 3 of chapter 30843, Laws of Florida (1955), as amended, is amended to read:

Section 3.

(i) The board of trustees shall make and adopt such by-laws and rules and regulations for their own guidance and for the government of the hospital as may be deemed expedient for the economic and equitable conduct thereof, not inconsistent with this law ~~or the city ordinances of Bonifay, Florida~~, wherein such hospital is located. They shall have exclusive control of the expenditures of all moneys collected to the credit of the hospital fund.

Section 3. Section 12 of chapter 30843, Laws of Florida (1955), as amended, is amended to read:

Section 12. Immediately upon this act becoming a law and the trustees of said Holmes County Hospital Corporation are appointed and duly qualified, the said corporation shall be authorized to transact business and enter into contract looking to the establishment of the hospital herein provided for, to incur liabilities; borrow money at such rates of interest as the trustees may determine; issue its notes, bonds, or other obligations; and secure any of its obligations by mortgage, pledge, or assignment of all or any of its

~~properties, franchises, or income and may, without rendering the corporation liable beyond the sources of money pledged, borrow money giving security therefor the bonds provided for herein.~~

Section 4. Section 15 of chapter 30843, Laws of Florida (1955), as amended, is amended to read:

Section 15. (1) The trustees of Holmes County Hospital Corporation are authorized to issue bonds or to have bonds issued payable from legally available revenues, pledge therefore property sufficient to pay the principal and interest as the same become due on such bonds, which shall be in such form and denomination bearing an interest rate that does not exceed that authorized by general law. The form of such bonds shall be fixed by resolution of the board of trustees of Holmes County Hospital Corporation or the issuer and the bonds shall be signed by the chair of the board countersigned by the secretary of the board under the seal of the board of trustees of Holmes County Hospital Corporation or as authorized by the issuer. Coupons, or such legal requirements as to the issuer of bonds requires if any, shall be executed by the facsimile signature of said officers or the issuers. The delivery, at any subsequent date of any bond and coupon so executed shall be valid, although before the date of delivery, the person signing such bonds or coupons shall cease to hold office or is authorized by the issuer.

(2) The bonds may be issued in the form and manner as determined by the board of trustees of Holmes County Hospital Corporation, not inconsistent with general law or the issuer, which is consistent with general law. This act shall be construed to provide complete authority to issue debt in any reasonable form and manner as determined by the board of trustees of Holmes County Hospital Corporation that are not inconsistent with general law.

~~(3) No resolution or proceeding in respect to the issuance of bonds hereunder shall be necessary. The bonds authorized herein shall in no event exceed on hundred seventy-five thousand dollars (\$175,000.00) for the construction of the Holmes county hospital authorized herein and all proceeds from such bond sale remaining in the hands of the Holmes county hospital corporation after payment of all costs of construction of the hospital as herein authorized shall be used by said corporation for equipping, operating and maintaining such county hospital in connection with the hospital program outlined herein.~~

Section 5. Section 18 of chapter 30843, Laws of Florida (1955), as amended, is amended to read:

Section 18. The board shall have the power of eminent domain and may thereby condemn and acquire any real or personal property ~~within the city limits of Bonifay, Florida,~~ which the board may deem necessary for the use of said hospital corporation such power of condemnation shall be exercised in the same manner as is now provided by the general law for the exercise of the power of eminent domain by cities and towns of the state of Florida.

Section 6. Sections 16, 17, 19, 20, 21, 22, 23, 26, and 27 of chapter 30843, Laws of Florida (1955), as amended, are repealed.

Section 7. On or before December 30, 2006, the Holmes County Hospital Corporation shall call and the Supervisor of Elections of Holmes County shall conduct, in accordance with the provisions of law relating to elections currently in force, a referendum of the qualified voters of Holmes County on the question of whether the Holmes County Hospital Corporation shall amend its charter to increase the corporation's bonding authority to construct a new hospital facility in Holmes County pursuant to section 4 of this act.

Section 8. This act shall take effect only if a majority of those qualified electors of Holmes County voting in the referendum held pursuant to this act approve the referendum question in accordance with section 7, except that this section and section 7 of this act shall take effect upon becoming a law.

Approved by the Governor June 13, 2005.

Filed in Office Secretary of State June 13, 2005.