

House Bill No. 855

An act relating to Citrus County; amending chapter 99-442, Laws of Florida, the charter of the Citrus County Hospital Board; reducing the time a member may hold office on the board; revising borrowing authority of the board; revising provisions relating to indebtedness of the board; revising a provision relating to outstanding bonds payable from ad valorem taxes; repealing an obsolete provision; providing an effective date.

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

Section 1. Paragraph (b) of section 3 of chapter 99-442, Laws of Florida, is amended to read:

Section 3.

(b) The trustees of said board shall elect from its members a chair, a vice chair, and a secretary-treasurer who shall each hold office for a period of one (1) year ~~two (2) years~~. Each trustee shall execute a bond in the penal sum of five thousand dollars (\$5,000) with two (2) good and sufficient sureties of a surety company authorized under the laws of the state to become surety, payable to the Citrus County Hospital Board, conditioned upon the faithful performance of the duties of the officer, which bonds shall be approved by the remaining trustees of the board and which shall be filed with the Board of County Commissioners of Citrus County. The premiums on said bonds shall be paid by the hospital board.

Section 2. Section 14 of chapter 99-442, Laws of Florida, is amended to read:

Section 14. In addition to all other implied and express powers contained herein, the board shall have the express authority to borrow money, with or without issuing notes therefor, for the purpose or purposes of constructing, maintaining, repairing, altering, expanding, equipping, leasing, and operating county hospitals, medical nursing homes, convalescent homes, medical care facilities, clinics, and all other types of allied medical care units. The board's authority to borrow money, with or without issuing notes, shall be subject to the conditions of this act, applying to the board's right to issue revenue certificates. ~~However, the board shall not be required to have any type of validation suit or court approval to borrow money when the amount of the loan or loans does not exceed an amount equal to two times the annual hospital tax, assuming said tax is based upon the yearly millage of three (3) mills, and the term of the loan does not exceed five (5) years.~~

Section 3. Section 16 of chapter 99-442, Laws of Florida, is amended to read:

Section 16. (a) Said bonds, federal or state hospital loans, notes, or revenue certificates shall mature within thirty (30) years ~~twenty (20) years~~ from the year in which they are issued or made, and shall be payable in such years

~~and amounts as shall be approved by the board mature in equal amounts each year including the interest. The aggregate amount of all bonds, revenue certificates, and federal or state hospital loans issued and outstanding at any one time shall not exceed an amount equal to five (5) times the annual hospital tax at the date of issue, assuming said tax is based upon the yearly millage of three (3) mills. Said bonds and interest thereon shall be payable solely from a millage not to exceed one and one half (1 1/2) mills per year. Said millage is included in the maximum millage of three (3) mills per year. The loans, notes and revenue certificates, together with the interest, shall be payable from the gross receipts of the hospital and/or medical nursing home.~~

~~(b) The full faith and credit of Citrus County shall be pledged for the payment of the bonds and interest, but the full faith and credit of Citrus County shall not be pledged for the payment of the loans, notes, or revenue certificates and interest unless voted upon and approved by the voters of said county.~~

~~(c) Whenever this board shall pass a resolution approving the issuance of said bonds, the board of county commissioners shall immediately thereafter pass a resolution approving the bond issue and calling an election and, subject to said election, permitting the repayment of the bonds out of the annual levy of three (3) mills per year. The bonds or revenue certificates shall not be issued until after the same have been approved in a validation suit.~~

~~(d) Said loans, notes, bonds, or revenue certificates shall not bear interest in excess of six percent (6%) per year and such lesser amounts that may be available in the open market. The interest rate may be increased as provided in subsection (h).~~

~~(b)(e) The board shall determine the form of the loans, notes, bonds, and revenue certificates, including any interest coupons to be attached thereto, and the manner of executing it, shall fix the denomination or denominations thereof 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 an officer whose signature or a facsimile of whose signature shall appear on any loan, note, bond, or revenue certificate or coupon shall cease to be such officer before the delivery thereof, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if the officer had remained in office until such delivery. All loan agreements, notes, bonds, and revenue certificates issued hereunder shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the state.~~

(c) Whenever the board shall pass a resolution approving the issuance of said bonds, the Board of County Commissioners shall immediately thereafter pass a resolution approving the bond issue and calling an election and, subject to said election, permitting the repayment of the bonds out of an annual levy not to exceed one and one-half (1 1/2) mills per year. Said millage is included in the maximum millage of three (3) mills per year. Subject to such limitations, said bonds shall be payable from the full faith and credit of Citrus County.

(d) The loans, notes, and revenue certificates, together with the interest, shall be payable from gross or net receipts of the hospital board or any portion thereof.

(e) Said loans, notes, bonds, or revenue certificates shall not bear interest in excess of the maximum rate permitted by the laws of the State of Florida.

(f) The board may sell bonds, loans, notes, or revenue certificates in such manner, either 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 of more than six percent (6%) per annum. The interest rate may be increased as provided in subsection (h).~~

(g) The board of county commissioners during any period that bonds payable from ad valorem taxation are outstanding ~~said period~~ shall, in addition to the maximum of one and one-half one-half (1½) mills) levy above authorized for the repayment of the bonds and interest, levy annually the remainder of the hospital tax in the amount up to one and one-half one-half (1½) mills on the dollar for the purpose of maintaining and operating the county hospitals, medical nursing homes, and convalescent homes.

~~(h) In the event the maturity date of the debt is more than two (2) years after the date the debt is created, the maximum interest rate that can be applied to said debt or debt paper obligation shall not exceed six percent (6%) or one percent (1%) less than the "prime interest rate," as established by the Chase Manhattan Bank, National Association, whichever is the higher, on the date the agreement to create the debt is executed by the board and the lender. This shall apply only to debts created or incurred subsequent to the effective date of this amendment. The term debt paper obligation shall include notes, bonds, and revenue bonds and certificates.~~

Section 4. Section 17 of chapter 99-442, Laws of Florida, is amended to read:

Section 17. The total amount of outstanding bonds indebtedness of said hospital payable from ad valorem taxation at any one time shall not exceed an amount equal to six (6) times the annual hospital tax, assuming said tax is based upon the yearly millage of three mills.

Section 5. Section 19 of chapter 99-442, Laws of Florida, is renumbered as section 18, and section 18 of said chapter is amended to read:

~~Section 18. Heretofore, the Legislature of the State of Florida authorized said previously existing hospital board to issue bonds in the amount not to exceed one hundred fifty thousand (\$150,000.00) dollars of said bonds. This act shall not preclude said previously existing hospital board or its successors from issuing previously authorized and validated hospital bonds.~~

Section 6. This act shall take effect upon becoming a law.

Approved by the Governor May 29, 2001.

Filed in Office Secretary of State May 29, 2001.