

## House Bill No. 943

An act relating to the North Lake County Hospital District, Lake County; codifying special laws relating to the district; providing legislative intent; amending, codifying, reenacting, and repealing chapters 95-508 and 97-332, Laws of Florida; providing district boundaries; providing definitions; providing for a board of trustees as the governing body of the district; prescribing the powers and duties of the board; providing for compensation and meetings of the board; providing a principal office of the district; authorizing the board to levy an annual ad valorem tax upon taxable property within the district; providing for purpose of the tax; providing for a method for such levy; exempting property of the district for assessment; prohibiting the board from transferring control of the district's hospitals or facilities except upon approval by referendum; providing for severability; 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 the North Lake County Hospital District. It is the intent of the Legislature in enacting this act to provide a single comprehensive special act charter for the district, including all current authority granted to the district by its several legislative enactments.

Section 2. Chapters 95-508 and 97-332, Laws of Florida, creating the North Lake County Hospital District are amended, codified, reenacted, and repealed as provided in this act.

Section 3. The charter for the North Lake County Hospital District is re-created and reenacted to read:

Section 1. ESTABLISHMENT OF DISTRICT; BOUNDARIES.—

A. All provisions contained in this act which are contrary to the concurrent resolutions are deemed changed by this act. This act may be cited as the “North Lake County Hospital District Act.”

B. There is created and established as an independent special taxing district of the state a hospital district in Lake County to be known as the “North Lake County Hospital District,” which shall comprise and include the territory within Lake County described as follows:

Beginning at the range line dividing ranges 26 and 27 east at its intersection with the township line separating townships 20 and 21 south of the Tallahassee meridian; thence north on said range line to the township line dividing townships 19 and 20 south; thence east on said township line to the Wekiva River; thence north along the thread of the said Wekiva River to the St. Johns River; thence in a northerly and northwesterly direction through the thread of the St. Johns River to the

southwest shore of Lake George; thence north along the west shore of Lake George to the range line dividing ranges 26 and 27 east; thence south on said range line to the township line dividing townships 17 and 18 south; thence west on said township line to the northeast corner of section 1, township 18 south, range 25 east; thence run south along the east range line for range 25 to the southeast corner of section 36, township 18 south, range 25 east; thence run east along the North boundary of section 6, township 19 south, range 26 east, to the waters of Lake Eustis; thence southwesterly along the waters of Lake Eustis to the center of the mouth of Dead River; thence southwesterly along the center of Dead River to an extension of the west boundary of section 24, township 19 south, range 25 east, extended south into Lake Harris; thence run southwesterly across Lake Harris to the intersection of the eastern boundary of section 12, township 20 south, range 24 east, with the waters of Lake Harris; thence run southeasterly and south/southeasterly along the shoreline of Lake Harris and Little Lake Harris to the south boundary line of section 24, township 20 south, range 25 east; thence run west to the northwest corner of section 27, township 20 south, range 25 east; thence run south to the southwest corner of section 34, township 20 south, range 25 east; thence run east along the township line separating townships 20 and 21 south, to the Tallahassee Meridian to the point of beginning (hereinafter the "Northeast Territory").

and

Begin at the northwest (NW) corner of section 6, in township 18 south, range 24 east, and run east along the north township line of township 18 south, to the northeast corner of section 1, township 18 south, range 25 east; thence run south along the east range line of range 25 to the southeast corner of section 36, township 18 south, range 25 east; thence run east along the north boundary of section 6, township 29 south, range 26 east, to the waters of Lake Eustis; thence southwesterly along the waters of Lake Eustis to the center of the mouth of Dead River; thence southwesterly along the center of Dead River to an extension of the west boundary of section 24, township 19 south, range 25 east, extended south into Lake Harris; thence run southwesterly across Lake Harris to the point that the eastern boundary of section 12, township 20 south, range 24 east intersects with the waters of Lake Harris; thence run in a general southeasterly direction along the waters of Lake Harris to the point that the southern boundary of section 24, township 20 south, range 25 east, and the waters of Lake Harris intersect; thence run west along the south boundary of sections 24, 23, and 22, township 20 south, range 25 east, to the southwest (SW) corner of said section 22, township 20 south, range 25 east; thence run south along the west boundary of sections 27 and 34, township 20 south, range 25 east to the southwest (SW) corner of section 34, township 20 south, range 25 east; thence run west along the south line of said township 20 to western boundary of Lake County, and west boundary of range 24 east; thence north along the west boundary of said range 24 to the point of beginning (hereinafter the "Northwest Territory").

Section 2. PURPOSE OF THE DISTRICT.—The purpose of the North Lake County Hospital District as a local governmental entity is to ensure

continued hospital services for the residents of the North Lake County Hospital District, referred to in this act as the “district.”

Section 3. MEMBERSHIP AND ORGANIZATION OF THE GOVERNING BOARD OF THE DISTRICT.—

A. General.—

1. The North Lake County Hospital District shall be governed by a board of trustees composed of six persons to be elected by the electors residing within the North Lake County Hospital District in a general election. The trustees currently serving on the board shall continue in their capacity to the completion of their terms. The term of office of each trustee shall be 4 years and a trustee may not serve more than two terms for a maximum of 8 years. The term of office shall expire on the date of the general election held 4 years after the date on which that trustee was elected. All elections for the office of trustee shall be conducted during general elections.

2. The members of the board of trustees shall serve without pay. Each member shall give a bond to the Board of County Commissioners of Lake County and its successors in office for the use and benefit of the North Lake County Hospital District for the faithful performance of his or her duties in the sum of \$1,000 with a surety company qualified to do business in this state as surety, which bond shall be approved and accepted by the Clerk of the Circuit Court of Lake County. The premiums on such bond shall be paid by the district as part of the expenses of the district.

3. Four of the trustees shall constitute a quorum, and a vote of at least four of the trustees is necessary for the transaction of any business of the district. The board of trustees may select from among its membership a chair, vice chair, secretary, and treasurer. The board of trustees shall cause true and accurate minutes and records to be kept of all business transacted by them and shall keep full, true, and complete books of account and minutes, which minutes and books shall be open and subject to the inspection of the inhabitants of the district at all reasonable times during normal business hours. Any person desiring to do so may obtain a copy of the minutes and books of account or such portions thereof as he or she may desire upon payment of the costs of reproduction.

B. Election of the board of trustees.—

1. Registration of electors.—Any person who is a resident of the North Lake County Hospital District, at least 18 years of age, and registered with the Supervisor of Elections for Lake County is eligible to vote for the election of members of the board of trustees.

2. Qualifications of candidate.—All trustees must be duly qualified electors who reside in the North Lake County Hospital District. Three trustees must reside in the Northeast Territory and three trustees must reside in the Northwest Territory.

3. Vacancies.—Vacant trustee seats shall be filled through appointment by the then-existing board of trustees; appointees shall serve until the expiration of the term for which they are appointed.

C. Annual meeting.—The annual meeting shall be held during the month of January of each year at such time and place within the district as is determined by the board of trustees. Notice of the date, time, and place of the annual meeting shall be published in a daily newspaper of general circulation, in a section other than the legal ad or classified ad sections, in the North Lake County Hospital District once per week for 2 consecutive weeks. The date of the first publication of such notice must be at least 15, and not more than 30, days before the annual meeting. The agenda at the annual meeting of the board of trustees shall include, but is not limited to:

1. Call to order.
2. Presentation and approval of minutes of the last annual meeting and of any special meeting held since that meeting.
3. Financial report.
4. Presentation of the annual report of the board of trustees.
5. Transaction of any business that may properly be brought before the board.
6. Election of officers of the board of trustees.

D. Special meetings.—Special meetings of the board of trustees may be called at any time by the chair or upon the written request of four members of the board of trustees. Notices of special meetings of the board of trustees shall be by publication in a newspaper of general daily circulation in the North Lake County Hospital District at least 7 days before such meeting, stating the date and place and general matters of the business to be considered.

E. Removal of members from the board of trustees.—Any member of the board of trustees may be removed by the Governor at any time, for cause, in which event such vacancy or vacancies thereby occurring shall be filled through appointment by the then-remaining board of trustees for the unexpired term.

#### Section 4. POWERS, FUNCTIONS, AND DUTIES.—

A. Eminent domain.—The North Lake County Hospital District, through its board of trustees, has the power of eminent domain.

B. General Powers.—The Board of Trustees of the North Lake County Hospital District has all the powers of a body corporate, including the power to sue and be sued under the name of the North Lake County Hospital District; to contract and be contacted with; to adopt and use a common seal; and to acquire, purchase, hold, lease, and convey such real and personal property as the board of trustees deems proper or expedient to carry out the purposes of this act.

C. Ad valorem taxation.—The Board of Trustees of the North Lake County Hospital District may levy an ad valorem tax in the district of 1 mill on the dollar of the value of all nonexempt property within that area of Lake

County which comprises the North Lake County Hospital District. Such tax shall be paid into the district fund.

D. Tax proceeds to charitable foundations.—All future tax proceeds generated from within the Northeast Territory, less one-half of the amount reserved annually by the board to pay for maintenance and services for the board, shall be paid by the board of trustees to Florida Hospital Waterman Foundation, Inc., upon written request by Florida Hospital Waterman Foundation, Inc., that the funds are needed for health care. All future proceeds generated from within the Northwest Territory, less one-half of the amount reserved annually by the board to pay for maintenance and services for the board, shall be paid by the board of trustees to Leesburg Regional Medical Center Charitable Foundation, Inc., upon written request by Leesburg Regional Medical Center Charitable Foundation, Inc., that the funds are needed for health care.

E. LifeStream Behavioral Center.—Leesburg Regional Medical Center Charitable Foundations, Inc., and Florida Hospital Waterman Foundation, Inc., have brought to the attention of the respective boards that LifeStream Behavioral Center should be entitled to receive the following sums, after submission of a written request by LifeStream Behavioral Center certifying that the funds are needed for indigent health care. The request shall be made to Florida Hospital Waterman Foundation, Inc., and Leesburg Regional Medical Center Charitable Foundation, Inc. Florida Hospital Waterman Foundation, Inc., and Leesburg Regional Medical Center Charitable Foundation, Inc., shall pay the following sums to LifeStream Behavioral Center from their respective share of tax funds collected and received by Florida Hospital Waterman Foundation, Inc., and Leesburg Regional Medical Center Charitable Foundation, Inc.

1. For each year after calendar year 1993, LifeStream Behavioral Center shall be paid \$100,000 or  $\frac{1}{20}$  of 1 mill of the tax moneys due Florida Hospital Waterman Foundation, Inc., from the Northeast Territory, whichever is greater, plus \$100,000 or  $\frac{1}{20}$  of 1 mill of the tax moneys due Leesburg Regional Medical Charitable Foundation, Inc., from the Northwest Territory, whichever is greater. If Florida Hospital Waterman Foundation, Inc., or Leesburg Regional Medical Center Charitable Foundation, Inc., refuses to pay LifeStream Behavioral Center the funds due under this section in any given year, during the next fiscal year of the North Lake County Hospital District, the Board of Trustees of the North Lake County Hospital District shall directly pay LifeStream Behavioral Center an amount equal to the funds withheld during the previous year by the subject provider payable from funds which would otherwise be payable to the subject provider.

2. Notwithstanding any of the provisions of this act, the obligation to pay tax revenues to LifeStream Behavioral Center under this act shall permanently terminate in the year:

a. When a countywide health taxing district is created and funded pursuant to chapter 154, Florida Statutes, the countywide health taxing district provides for reimbursement on an accountability basis to medical providers for medical, hospital, and emergency care, including psychiatric care provided to indigent residing within the county, and the countywide health

taxing district actually reimburses LifeStream Behavioral Center for medical services in an amount greater than or equal to the tax revenues received under the provisions of this act in 1 calendar year; or

b. If LifeStream Behavioral Center, for any reason, loses, relinquishes, or forfeits its accreditation as a hospital.

Any reimbursement for medical services paid to LifeStream Behavioral Center by any future countywide health taxing district shall be deducted from the amount of tax revenues to be paid under this act. It is the intent of this act that the tax revenues payments provided for LifeStream Behavioral Center in this act be reduced by the same amount that is actually paid to the hospital by the countywide taxing district.

F. Annual financial report.—Leesburg Regional Medical Center Charitable Foundation, Inc., and its parent corporation; Florida Hospital Waterman Foundation, Inc., and its parent corporation; and LifeStream Behavioral Center shall each file annual audited financial statements with the North Lake County Hospital District.

G. Collection of taxes.—It is the duty of the Property Appraiser of Lake County to assess, and the Tax Collector of Lake County to collect, the 1-mill tax levied by the Board of Trustees of the North Lake County Hospital District upon the taxable property in the district. The tax collector shall collect such tax as levied by the board of trustees in the same manner as other taxes are collected and shall pay the same over to the Board of Trustees of the North Lake County Hospital District within the time and in the manner prescribed by law for the payment of the Tax Collector of Lake County taxes to the county depository. It is the duty of the Department of Revenue to assess all such property in accordance with section 193.085, Florida Statutes. The amount of each county or state taxes and the taxes for the district shall be assessed by the officer respectively as are county taxes upon such property, and such tax shall be remitted by the collecting officer to the Board of Trustees of the North Lake County Hospital District. All such taxes shall be held by the Board of Trustees of the North Lake County Hospital District and paid out by them for purposes of this act.

H. Expenses.—The Board of Trustees of the North Lake County Hospital District may pay from the funds of the district all expenses of the organization of such Board of Trustees and all expenses necessarily incurred with the development of the district as well as all other reasonable and necessary expenses, including the fees and expenses of a certified public accountant and an attorney as needed in the transaction of the business of the district in carrying out and accomplishing the purposes of this act. The board shall include in its annual budget a reserve in an amount deemed necessary by the board for its yearly expenses.

I. Financial disclosure, notice, and reporting requirements.—At least once every year, the Board of Trustees of the North Lake County Hospital District shall make and file with the Clerk of the Circuit Court of Lake County a complete financial statement of all money received and distributed by the board since the development of the district as to the first statement

so filed, and since the last statement so filed as to any other year. Such statements shall also show the several sources from which the funds were received and shall show the balance on hand at the time of the making of such statement. It shall show a complete statement of the financial condition of the district. Notice of the statement shall be filed with the Clerk of the Circuit Court of Lake County and published in a newspaper regularly published in Lake County, and the statement shall be made available at all reasonable times to all residents of the district for their inspection. The Board of Trustees of the North Lake County Hospital District shall comply with all financial disclosure and reporting requirements provided in general law.

J. Preparation of budget.—The Board of Trustees of the North Lake County Hospital District shall prepare an annual balanced budget in accordance with generally accepted accounting practices and in the manner prescribed by section 218.34, Florida Statutes.

K. Liens and foreclosures.—Liens and foreclosure of liens resulting from failure to pay ad valorem taxation shall be treated as liens and foreclosures resulting from other ad valorem taxes.

Section 5. ESTABLISHMENT AND DISSOLUTION OF THE DISTRICT.—The North Lake County Hospital District established pursuant to section 189.4042, Florida Statutes, is reestablished by this act as a special district under chapter 189, Florida Statutes. The district may be dissolved by action of the Legislature.

Section 6. AMENDMENTS TO THE CHARTER.—This act may not be amended except by action of the Legislature.

Section 7. CONSTRUCTION OF ACT.—It is intended that the provisions of this act be liberally construed for accomplishing the purposes authorized and provided for by this act.

Section 8. COMPREHENSIVE PLANNING.—Except as may otherwise be required by general law, comprehensive planning is not required by this act.

Section 4. Chapters 95-508 and 97-332, Laws of Florida, are repealed.

Section 5. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

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

Approved by the Governor May 6, 2002.

Filed in Office Secretary of State May 6, 2002.