

1 A bill to be entitled
2 An act relating to South Broward Hospital District,
3 Broward County; amending ch. 2004-397, Laws of
4 Florida, as amended; authorizing the Board of
5 Commissioners to encumber specified real and personal
6 property; authorizing the board to acquire, own,
7 establish, develop, construct, lease, equip, operate,
8 manage, and maintain specified hospitals, facilities,
9 and programs within and outside district boundaries
10 for certain purposes; providing legislative findings;
11 providing an exception to general law; authorizing the
12 board to determine the location and legal form and
13 structure of such hospitals, facilities, and programs;
14 providing requirements for such legal form and
15 structure; providing legislative intent; providing
16 that ad valorem taxes and non-ad valorem special
17 assessments be expended only within the boundaries of
18 the district; prohibiting the district from expending
19 such funds outside the boundaries of the district;
20 providing for severability; providing for liberal
21 construction; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:
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25 Section 1. Paragraph (i) of subsection (1) of section 4

26 | and section 7 of section 3 of chapter 2004-397, Laws of Florida,
 27 | are amended, to read:

28 | Section 4. (1) The Board of Commissioners of the South
 29 | Broward Hospital District shall have all of the following
 30 | governmental, corporate, and proprietary powers:

31 | (i) To acquire, purchase, hold, encumber, lease, and
 32 | convey such real and personal property as the board deems proper
 33 | or expedient.

34 | Section 7. Without in any way limiting the powers set
 35 | forth in section 4, the board of commissioners is hereby
 36 | authorized and empowered to acquire, own, establish, develop,
 37 | construct, lease, equip, operate, manage, and maintain within
 38 | and outside the district boundaries, such hospital or hospitals,
 39 | public facilities, and other health facilities, and facilities
 40 | or programs of any type or scope as in their opinion are
 41 | necessary for the use, needs, or welfare of the people of the
 42 | district or the inhabitants of the state, and to acquire, own,
 43 | establish, develop, construct, lease, equip, operate, manage,
 44 | and maintain such facilities for the care of such persons
 45 | requiring ~~limited~~ medical care or treatment as in their opinion
 46 | is necessary for the use, needs, or the welfare of people of the
 47 | district or the inhabitants of the state. The Legislature finds
 48 | that, regardless of where such hospital or hospitals, public
 49 | facilities, other health facilities, and facilities or programs
 50 | of any type or scope are located, the development and operation

51 by the district of such facilities and programs for the delivery
52 of health care or related services provides a valid public
53 purpose; delivers valuable public benefits; serves the public
54 interest; and benefits, directly or indirectly, the inhabitants
55 of the state, residents or non-residents of the district,
56 surrounding communities, or underserved, indigent, uninsured and
57 sick persons throughout the state; and visitors.

58 (a) Within the boundaries of the district, such ~~The~~
59 hospital or hospitals, public facilities, other health
60 facilities, and facilities or programs of any type or scope for
61 ~~limited~~ care and treatment shall be acquired, owned,
62 established, developed, constructed, leased, equipped, operated,
63 managed, and maintained by the board of commissioners for the
64 preservation of the public health, for the public good, and for
65 the use of the public of the district; and maintenance of the
66 hospital or hospitals, other health facilities, and facilities
67 for limited care and treatment within the district is hereby
68 found and declared to be a public purpose and necessary for the
69 preservation of the public health, for public use, and for the
70 welfare of the district and inhabitants thereof.

71 (b) Notwithstanding any other provision of this act or
72 chapter 189, Florida Statutes, to the contrary, such hospital or
73 hospitals, other health care facilities, and facilities or
74 programs of any type or scope, may be acquired, owned,
75 established, developed, constructed, leased, equipped, operated,

76 managed, and maintained beyond the boundaries of the district,
 77 by the board of commissioners.

78 (c) The location and legal form and structure of such
 79 hospital or hospitals, public facilities, other health
 80 facilities, and facilities or programs of any type or scope ~~for~~
 81 ~~limited care and treatment~~ shall be determined by the board.

82 (d) The board is authorized, if it deems it advisable, to
 83 create a legal form and structure involving the participation of
 84 other entities or persons, whether by ownership or otherwise,
 85 and place facilities or programs authorized under this section
 86 or this act in a separate entity of which the district has an
 87 ownership or other interest, so as to not be designated as
 88 public property or otherwise subject to the requirements of
 89 Article VII, Section 10 of the State Constitution.

90 (e) It is the express intent of the Legislature that any
 91 revenues received by the district from any ad valorem tax or
 92 non-ad valorem special assessment levied by the district be used
 93 solely toward hospitals, health care facilities or health care
 94 services or programs within the district. Accordingly, the
 95 district is expressly prohibited from directly using any
 96 revenues received by the district from any ad valorem tax or
 97 non-ad valorem special assessment levied by the district on
 98 property located within the district for any purpose outside the
 99 boundaries of the district.

100 (f) The district is further expressly authorized to

101 continue to construct, own, equip, operate, lease, manage, and
102 maintain all facilities and services in which the district was
103 engaged as of January 1, 2020.

104 Section 2. If any section, paragraph, sentence, clause,
105 phrase, or other part of this act shall be declared
106 unconstitutional, or if this act should be declared inapplicable
107 in any case, such declaration shall not affect the remainder of
108 this act or the applicability thereof in any other case. It is
109 intended that the provisions of this act shall be liberally
110 construed for accomplishment of the work authorized, provided
111 for, and intended to be provided by this act. For any words,
112 phrases, clauses, classifications, or any part of this act or
113 previous enactments which require utilizing rules of statutory
114 interpretation, it is the intent of the Legislature that the
115 most expansive, liberal and least restrictive construction be
116 adopted and utilized, and to acknowledge that the absence of
117 express language is not meant to be an inference or limitation
118 to the accomplishment of the stated and implied governmental,
119 corporate or proprietary powers.

120 Section 3. This act shall take effect upon becoming a law.