

By the Committee on Community Affairs; and Senator Dean

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1 A bill to be entitled
2 An act relating to local government accountability;
3 amending s. 11.40, F.S., relating to the Legislative
4 Auditing Committee; clarifying when the Department of
5 Community Affairs may institute procedures for
6 declaring that a special district is inactive;
7 amending s. 30.49, F.S.; specifying the level of
8 detail required for each fund in the sheriff's
9 proposed budget; revising the categories for
10 expenditures; amending s. 112.63, F.S., relating to
11 the review of the actuarial reports and statements of
12 retirement plans of governmental entities by the
13 Department of Management Services; providing that the
14 failure of a special district to make appropriate
15 adjustments or provide additional information
16 authorizes the department to seek a writ of
17 certiorari; amending s. 129.01, F.S.; revising
18 provisions relating to the preparation of county
19 budgets; amending s. 129.02, F.S.; revising provisions
20 relating to the preparation of special district
21 budgets; amending s. 129.021, F.S.; conforming cross-
22 references; amending s. 129.03, F.S.; requiring
23 tentative county budgets to be posted on the county's
24 website; amending s. 129.06, F.S.; revising provisions
25 relating to the execution and amendment of county
26 budgets; requiring revised budgets to be posted on the
27 county's website; amending s. 129.07, F.S.; revising
28 provisions relating to the prohibition against
29 exceeding the county budget; amending s. 129.201,

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30 F.S.; conforming and revising provisions relating to
31 the budget of the supervisor of elections; specifying
32 the level of detail required for each fund in the
33 proposed budget; deleting the expenditure categories;
34 amending s. 166.241, F.S.; revising provisions
35 relating to the preparation or amendment of municipal
36 budgets; specifying the level of detail for each fund
37 in the budget; requiring such budgets to be posted on
38 the website of the municipality or related county;
39 amending s. 189.4044, F.S.; adding failure to file a
40 registered office or agent with the department for 1
41 or more years as a criteria for declaring a special
42 district inactive; amending s. 189.412, F.S.; adding
43 the Legislative Auditing Committee to the list of
44 entities that obtain special district noncompliance
45 status reports; amending s. 189.418, F.S.; revising
46 provisions relating to the preparation or amendment of
47 special district budgets; requiring such budgets to be
48 posted on the website of the special district or
49 related local general-purpose government or governing
50 authority; requiring special districts to comply with
51 certain reporting requirements; allowing a local
52 governing authority to request certain financial
53 information from special districts located solely
54 within its boundaries; requiring special districts to
55 cooperate with such requests; amending s. 189.419,
56 F.S.; revising procedures relating to a special
57 district's failure to file certain reports or
58 information; amending s. 189.421, F.S.; revising

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59 procedures relating to the failure of a special
60 district to disclose financial reports; authorizing
61 the Department of Community Affairs to seek a writ of
62 certiorari; amending s. 195.087, F.S.; requiring the
63 final approved budget of the property appraiser and
64 tax collector to be posted on the county's website;
65 amending s. 218.32, F.S.; revising the schedule for
66 submitting a local governmental entity's audit and
67 annual financial reports to the Department of
68 Financial Services; requiring the department to notify
69 the Special District Information Program if it does
70 not receive a financial report from a local government
71 entity; requiring a local governmental entity to
72 provide a link to the entity's financial report on the
73 department's website; amending s. 218.35, F.S.;
74 specifying the level of detail for each fund in a
75 county fee officer's budget; requiring the court
76 clerk's approved budget to be posted on the county's
77 website; amending s. 218.39, F.S.; revising the
78 timeframe for completing a local governmental entity's
79 annual financial audit; requiring that an auditor
80 prepare an audit report; requiring that such report be
81 filed with the Auditor General within a specified
82 time; requiring that the Auditor General notify the
83 Legislative Auditing Committee of any audit report
84 indicating that an audited entity has failed to take
85 corrective action; requiring that the chair of a local
86 governmental entity appear before the committee under
87 certain circumstances; amending s. 218.503, F.S.;

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88 revising provisions relating to oversight by the
89 Governor when an entities' financial statements show
90 they cannot cover a deficit of funds; amending s.
91 373.536, F.S.; requiring water management district
92 budgets to be posted on the district's website;
93 amending s. 1011.03, F.S.; requiring the budgets of
94 district school boards to be posted on the website of
95 the district or related county; amending s. 1011.051,
96 F.S.; revising provisions relating to the guidelines
97 for district school boards to maintain an ending fund
98 balance for the general fund; amending s. 1011.64,
99 F.S.; revising obsolete accounting terminology;
100 providing an effective date.

101
102 Be It Enacted by the Legislature of the State of Florida:

103
104 Section 1. Paragraph (b) of subsection (5) of section
105 11.40, Florida Statutes, is amended to read:

106 11.40 Legislative Auditing Committee.—

107 (5) Following notification by the Auditor General, the
108 Department of Financial Services, or the Division of Bond
109 Finance of the State Board of Administration of the failure of a
110 local governmental entity, district school board, charter
111 school, or charter technical career center to comply with the
112 applicable provisions within s. 11.45(5)-(7), s. 218.32(1), or
113 s. 218.38, the Legislative Auditing Committee may schedule a
114 hearing. If a hearing is scheduled, the committee shall
115 determine if the entity should be subject to further state
116 action. If the committee determines that the entity should be

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117 subject to further state action, the committee shall:

118 (b) In the case of a special district, notify the
119 Department of Community Affairs that the special district has
120 failed to comply with the law. Upon receipt of notification, the
121 Department of Community Affairs shall proceed pursuant to s.
122 189.4044 or ~~the provisions specified in s. 189.421.~~

123 Section 2. Subsections (1) and (2) of section 30.49,
124 Florida Statutes, are amended to read:

125 30.49 Budgets.—

126 (1) Pursuant to s. 129.03(2), each sheriff shall annually
127 prepare and submit ~~certify~~ to the board of county commissioners
128 a proposed budget ~~of expenditures~~ for the carrying out ~~of~~ the
129 powers, duties, and operations of the office for the next
130 ~~ensuing~~ fiscal year ~~of the county~~. The fiscal year of the
131 sheriff shall ~~henceforth~~ commence on October 1 and end on
132 September 30 of each year.

133 (2) (a) ~~The sheriff shall submit with the proposed budget~~
134 ~~his or her sworn certificate, stating that the proposed~~
135 ~~expenditures are reasonable and necessary for the proper and~~
136 ~~efficient operation of the office for the ensuing year.~~ The
137 proposed budget must shall show the estimated amounts of all
138 proposed expenditures for operating and equipping the sheriff's
139 office and jail, excluding the cost of construction, repair, or
140 capital improvement of county buildings during the ~~such~~ fiscal
141 year. The expenditures must shall be categorized at the
142 appropriate fund level in accordance with the following
143 functional categories:

144 1. General law enforcement.

145 2. Corrections and detention alternative facilities.

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146 3. Court services, excluding service of process.

147 (b) The sheriff shall submit with the proposed budget a
148 sworn certificate stating that the proposed expenditures are
149 reasonable and necessary for the proper and efficient operation
150 of the office for the next fiscal year.

151 (c) Within the appropriate fund, ~~and~~ functional category,
152 and object code, expenditures shall be itemized in accordance
153 with the uniform chart of accounts prescribed by the Department
154 of Financial Services, as follows:

- 155 1. Personnel ~~Personal~~ services.
- 156 2. Operating expenses.
- 157 3. Capital outlay.
- 158 4. Debt service.
- 159 5. Nonoperating disbursements and contingency reserves.

160 (d) ~~(e)~~ The sheriff shall submit to the board of county
161 commissioners for consideration and inclusion in the county
162 budget, as deemed appropriate by the county, requests for
163 construction, repair, or capital improvement of county buildings
164 operated or occupied by the sheriff.

165 Section 3. Subsection (4) of section 112.63, Florida
166 Statutes, is amended to read:

167 112.63 Actuarial reports and statements of actuarial
168 impact; review.—

169 (4) Upon receipt, pursuant to subsection (2), of an
170 actuarial report, or ~~upon receipt~~, pursuant to subsection (3),
171 of a statement of actuarial impact, the Department of Management
172 Services shall acknowledge such receipt, but shall only review
173 and comment on each retirement system's or plan's actuarial
174 valuations at least on a triennial basis.

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175 (a) If the department finds that the actuarial valuation is
176 not complete, accurate, or based on reasonable assumptions or
177 otherwise materially fails to satisfy the requirements of this
178 part; ~~if the department~~ requires additional material
179 information necessary to complete its review of the actuarial
180 valuation of a system or plan or material information necessary
181 to satisfy the duties of the department pursuant to s.
182 112.665(1); ~~or if the department~~ does not receive the actuarial
183 report or statement of actuarial impact, the department shall
184 notify the administrator of the affected retirement system or
185 plan and the affected governmental entity and request
186 appropriate adjustment, the additional material information, or
187 the required report or statement. The notification must inform
188 the administrator ~~of the affected retirement system or plan~~ and
189 the affected governmental entity of the consequences for failing
190 ~~failure~~ to comply with the requirements of this subsection.

191 (b) If, after a reasonable period of time, a satisfactory
192 adjustment is not made or the report, statement, or additional
193 material information is not provided, the department may notify
194 the Department of Revenue and the Department of Financial
195 Services of the ~~such~~ noncompliance, and ~~in which case~~ the
196 Department of Revenue and the Department of Financial Services
197 shall withhold any funds not pledged for satisfaction of bond
198 debt service which are payable to the affected governmental
199 entity until the adjustment is made or the report, statement, or
200 additional material information is provided to the department.
201 The Department of Management Services shall specify the date
202 such action is to begin and notify, ~~and notification by the~~
203 ~~department must be received by~~ the Department of Revenue, the

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204 Department of Financial Services, and the affected governmental
205 entity 30 days before the specified date ~~the action begins~~.

206 (c) ~~(a)~~ Within 21 days after receipt of the notice, the
207 affected governmental entity may petition the Department of
208 Management Services for a hearing under ss. 120.569 and 120.57
209 ~~with the Department of Management Services~~. The Department of
210 Revenue and the Department of Financial Services may not be
211 parties to the ~~any such~~ hearing, but may request to intervene if
212 requested by the Department of Management Services or if the
213 Department of Revenue or the Department of Financial Services
214 determines its interests may be adversely affected by the
215 hearing.

216 1. If the administrative law judge recommends in favor of
217 the department, the department shall perform an actuarial
218 review, prepare the statement of actuarial impact, or collect
219 the requested material information. The cost to the department
220 of performing the ~~such~~ actuarial review, preparing the
221 statement, or collecting the requested material information
222 shall be charged to the affected governmental entity whose ~~of~~
223 ~~which the~~ employees are covered by the retirement system or
224 plan. If payment ~~of such costs~~ is not received by the department
225 within 60 days after ~~receipt by~~ the affected governmental entity
226 receives ~~of~~ the request for payment, the department shall
227 certify to the Department of Revenue and the Department of
228 Financial Services the amount due, and the Department of Revenue
229 and the Department of Financial Services shall pay such amount
230 to the Department of Management Services from ~~any~~ funds not
231 pledged for satisfaction of bond debt service which are payable
232 to the affected governmental entity ~~of which the employees are~~

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233 ~~covered by the retirement system or plan.~~

234 2. If the administrative law judge recommends in favor of
235 the affected governmental entity and the department performs an
236 actuarial review, prepares the statement of actuarial impact, or
237 collects the requested material information, the cost to the
238 department ~~of performing the actuarial review, preparing the~~
239 ~~statement, or collecting the requested material information~~
240 shall be paid by the Department of Management Services.

241 (d) ~~(b)~~ In the case of an affected special district, the
242 Department of Management Services shall also notify the
243 Department of Community Affairs. Upon receipt of notification,
244 the Department of Community Affairs shall proceed pursuant to
245 ~~the provisions of s. 189.421 with regard to the special~~
246 ~~district.~~

247 1. Failure of a special district to provide a required
248 report or statement, to make appropriate adjustments, or to
249 provide additional material information after the procedures
250 specified in s. 189.421(1) are exhausted shall be deemed final
251 action by the special district.

252 2. The Department of Management Services may notify the
253 Department of Community Affairs of those special districts that
254 failed to come into compliance. Upon receipt of notification,
255 the Department of Community Affairs shall proceed pursuant to s.
256 189.421(4).

257 Section 4. Section 129.01, Florida Statutes, is amended to
258 read:

259 129.01 Budget system established. ~~There is hereby~~
260 ~~established~~ A budget system for the control of the finances of
261 the boards of county commissioners of the several counties of

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262 the state is established, as follows:

263 (1) A budget ~~There~~ shall be prepared, approved, adopted,
264 and executed, as prescribed in this chapter, ~~for the fiscal year~~
265 ~~ending September 30, 1952,~~ and for each fiscal year. At a
266 minimum, the budget must show for each fund, as thereafter, an
267 annual budget for such funds as may be required by law and or by
268 sound financial practices, budgeted revenues, and expenditures
269 by organizational unit in detail consistent with the annual
270 financial report required under s. 218.32(1) and generally
271 accepted accounting principles. The budget shall control the
272 levy of taxes and the expenditure of money for all county
273 purposes during the ensuing fiscal year.

274 (2) The Each budget must ~~shall~~ conform to the following
275 general directions and requirements:

276 (a) The budget must ~~shall~~ be prepared, summarized, and
277 approved by the board of county commissioners of each county.

278 (b) The budget must ~~shall~~ be balanced, so that; that is,
279 the total of the estimated receipts available from taxation and
280 other sources, including balances brought forward from prior
281 fiscal years, equals shall equal the total of the appropriations
282 for expenditures and reserves. It shall conform to the uniform
283 classification of accounts prescribed by the appropriate state
284 agency. The budgeted receipts must ~~division of the budget shall~~
285 include 95 percent of all receipts reasonably ~~to be~~ anticipated
286 from all sources, including taxes to be levied, provided the
287 percent anticipated from ad valorem levies is ~~shall be~~ as
288 specified in s. 200.065(2)(a), and is 100 percent of the amount
289 of the balances ~~of both cash and liquid securities~~ estimated to
290 be brought forward at the beginning of the fiscal year. The

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291 appropriations must ~~appropriation division of the budget shall~~
292 include itemized appropriations for all expenditures authorized
293 by law, contemplated to be made, or incurred for the benefit of
294 the county during the ~~said~~ year and the provision for ~~the~~
295 reserves authorized by this chapter. Both the receipts and
296 appropriations must ~~appropriation divisions shall~~ reflect the
297 approximate division of expenditures between countywide
298 expenditures and noncountywide expenditures and the division of
299 county revenues derived from or on behalf of the county as a
300 whole and county revenues derived from or on behalf of a
301 municipal service taxing unit, special district included within
302 the county budget, unincorporated area, service area, or program
303 area, or otherwise not received for or on behalf of the county
304 as a whole.

305 (c) Provision may be made for the following reserves:

306 1. A reserve for contingencies may be provided which does
307 ~~in a sum~~ not ~~to~~ exceed 10 percent of the total appropriations ~~of~~
308 ~~the budget~~.

309 2. A reserve for cash balance to be carried over may be
310 provided for the purpose of paying expenses from October 1 of
311 the next ~~ensuing~~ fiscal year until ~~the time when~~ the revenues
312 for that year are expected to be available. This reserve may ~~be~~
313 not be more than 20 percent of the total appropriations.

314 ~~However, receipts and balances of the budget; provided that for~~
315 ~~the bond interest and sinking fund budget, this reserve may~~ not
316 ~~exceed be not more than~~ the total maturities of debt, ~~(both~~
317 ~~principal and interest)~~, which ~~that~~ will occur during the next
318 ~~ensuing~~ fiscal year, plus the sinking fund requirements,
319 computed on a straight-line basis, for any outstanding

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320 obligations to be paid from the fund.

321 (d) An appropriation for "outstanding indebtedness" shall
322 be made to provide for the payment of vouchers that ~~which~~ have
323 been incurred in and charged against the budget for the current
324 year or a prior year, but that ~~which~~ are expected to be unpaid
325 at the beginning of the next fiscal ~~ensuing~~ year ~~for which the~~
326 ~~budget is being prepared~~. The appropriation for the payment of
327 such vouchers shall be to ~~made in~~ the same fund in which ~~for~~
328 ~~which~~ the expenses were originally incurred.

329 (e) Any surplus arising from an excess of the estimated
330 cash balance over the estimated amount of unpaid obligations to
331 be carried over in a fund at the end of the current fiscal year
332 may be transferred to any of the other funds of the county, and
333 the amount so transferred shall be budgeted as a receipt to such
334 other funds. However, a; ~~provided, that no such~~ surplus:

335 1. In a fund raised for debt service may not ~~shall~~ be
336 transferred to another fund until, ~~except to a fund raised for~~
337 ~~the same purposes in the same territory, unless the debt for~~
338 which the fund was established ~~of such territory~~ has been
339 extinguished, ~~in which case it may be transferred to any other~~
340 ~~fund raised for that territory; provided, further, that no such~~
341 surplus

342 2. In a capital outlay reserve fund may not be transferred
343 to another fund until ~~such time as~~ the projects for which the
344 ~~such~~ capital outlay reserve fund was raised have been completed
345 and all obligations paid.

346 Section 5. Subsection (6) of section 129.02, Florida
347 Statutes, is amended to read:

348 129.02 Requisites of budgets.—Each budget shall conform to

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349 the following specific directions and requirements:

350 (6) For each special district included within the county
351 budget, ~~the operating fund budget~~ must show budgeted revenues
352 and expenditures by organizational unit in detail consistent
353 with the annual financial report required under s. 218.32(1).
354 The amount available from taxation and other sources, including
355 balances brought forward from prior fiscal years, must equal the
356 total appropriations for expenditures and reserves. The budget
357 must include ~~shall contain an estimate of receipts by source and~~
358 ~~balances as provided herein, and an itemized estimate of~~
359 ~~expenditures necessary that will need to be incurred to carry on~~
360 ~~all functions and activities of the special district as now or~~
361 ~~hereafter provided by law, including and of the indebtedness of~~
362 ~~the special district and the provision for required reserves;~~
363 ~~also of the reserves for contingencies and the balances, as~~
364 ~~hereinbefore provided, which should be carried forward at the~~
365 ~~end of the year.~~

366 Section 6. Section 129.021, Florida Statutes, is amended to
367 read:

368 129.021 County officer budget information.—Notwithstanding
369 other provisions of law, the budgets of all county officers, as
370 submitted to the board of county commissioners, must ~~shall~~ be in
371 sufficient detail and contain such information as the board of
372 county commissioners may require in furtherance of their powers
373 and responsibilities provided in ss. 125.01(1)(q), and (r), and
374 (v), 125.01(6), and (6) and 129.01(2)(b).

375 Section 7. Subsection (3) of section 129.03, Florida
376 Statutes, is amended to read:

377 129.03 Preparation and adoption of budget.—

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378 (3) Within ~~No later than~~ 15 days after certification of
379 value by the property appraiser pursuant to s. 200.065(1), the
380 county budget officer, after tentatively ascertaining the
381 proposed fiscal policies of the board for the next ~~ensuing~~
382 fiscal year, shall prepare and present to the board a tentative
383 budget for the next ~~ensuing~~ fiscal year for each of the funds
384 provided in this chapter, including all estimated receipts,
385 taxes to be levied, and balances expected to be brought forward
386 and all estimated expenditures, reserves, and balances to be
387 carried over at the end of the year.

388 (a) The board of county commissioners shall receive and
389 examine the tentative budget for each fund and, subject to the
390 notice and hearing requirements of s. 200.065, shall require
391 such changes to be made as it deems ~~shall deem~~ necessary, +
392 provided the budget remains ~~shall remain~~ in balance. The county
393 budget officer's estimates of receipts other than taxes, and of
394 balances to be brought forward, may ~~shall~~ not be revised except
395 by a resolution of the board, duly passed and spread on the
396 minutes of the board. However, the board may allocate to any of
397 the funds of the county any anticipated receipts, other than
398 taxes levied for a particular fund, except receipts designated
399 or received to be expended for a particular purpose.

400 (b) Upon receipt of the tentative budgets and completion of
401 any revisions ~~made by the board~~, the board shall prepare a
402 statement summarizing all of the adopted tentative budgets. The
403 ~~This~~ summary statement must ~~shall~~ show, for each budget and the
404 total of all budgets, the proposed tax millages, ~~the~~ balances,
405 ~~the~~ reserves, and the total of each major classification of
406 receipts and expenditures, classified according to the uniform

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407 classification of accounts adopted ~~prescribed~~ by the Department
408 of Financial Services ~~appropriate state agency~~. The board shall
409 cause this summary statement to be advertised one time in a
410 newspaper of general circulation published in the county, or by
411 posting at the courthouse door if there is no such newspaper,
412 and the advertisement must ~~shall~~ appear adjacent to the
413 advertisement required pursuant to s. 200.065.

414 (c) The board shall hold public hearings to adopt tentative
415 and final budgets pursuant to s. 200.065. The hearings shall be
416 primarily for the purpose of hearing requests and complaints
417 from the public regarding the budgets and the proposed tax
418 levies and for explaining the budget and any proposed or adopted
419 amendments ~~thereto, if any~~. The tentative and adopted tentative
420 budgets must be posted on the county's official website at least
421 2 days before the public hearings to consider such budgets. The
422 final budget must be posted on the website within 5 days after
423 adoption. The tentative budgets, adopted tentative budgets, and
424 final budgets shall be filed in the office of the county auditor
425 as a public record. Sufficient reference in words and figures to
426 identify the particular transactions shall be made in the
427 minutes of the board to record its actions with reference to the
428 budgets.

429 Section 8. Subsection (1) and paragraphs (a) and (f) of
430 subsection (2) of section 129.06, Florida Statutes, are amended
431 to read:

432 129.06 Execution and amendment of budget.—

433 (1) Upon the final adoption of the budgets as provided in
434 this chapter, the budgets so adopted must ~~shall~~ regulate ~~the~~
435 expenditures of the county and each special district included

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436 within the county budget, and the itemized estimates of
437 expenditures must ~~shall~~ have the effect of fixed appropriations
438 and may ~~shall~~ not be amended, altered, or exceeded except as
439 provided in this chapter.

440 (a) The modified-accrual basis or accrual basis of
441 accounting must be followed for all funds in accordance with
442 generally accepted accounting principles.

443 (b) The cost of the investments provided in this chapter,
444 or the receipts from their sale or redemption, may ~~must~~ not be
445 treated as expense or income, and ~~but~~ the investments on hand at
446 the beginning or end of each fiscal year must be carried as
447 separate items at cost in the fund balances; however, the
448 amounts of profit or loss received on their sale must be treated
449 as income or expense, as applicable ~~the case may be~~.

450 (2) The board at any time within a fiscal year may amend a
451 budget for that year, and may within the first 60 days of a
452 fiscal year amend the budget for the prior fiscal year, as
453 follows:

454 (a) Appropriations for expenditures within ~~in~~ any fund may
455 be decreased or ~~and other appropriations in the same fund~~
456 ~~correspondingly~~ increased by motion recorded in the minutes,
457 provided that the total ~~of the~~ appropriations of the fund does
458 not change ~~may not be changed~~. The board of county
459 commissioners, ~~however,~~ may establish procedures by which the
460 designated budget officer may authorize ~~certain~~
461 ~~intradepartmental~~ budget amendments, provided that the total
462 appropriations ~~appropriation~~ of the fund does not change
463 ~~department may not be changed~~.

464 (f) Unless otherwise prohibited by law, if an amendment to

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465 a budget is required for a purpose not specifically authorized
466 in paragraphs (a)-(e), ~~unless otherwise prohibited by law,~~ the
467 amendment may be authorized by resolution or ordinance of the
468 board of county commissioners adopted following a public
469 hearing.

470 1. The public hearing must be advertised at least 2 days,
471 but not more than 5 days, before the date of the hearing. The
472 advertisement must appear in a newspaper of paid general
473 circulation and must identify the name of the taxing authority,
474 the date, place, and time of the hearing, and the purpose of the
475 hearing. The advertisement must also identify each budgetary
476 fund to be amended, the source of the funds, the use of the
477 funds, and the total amount of each fund's appropriations
478 ~~budget.~~

479 2. If the board amends the budget pursuant to this
480 paragraph, the adopted amendment must be posted on the county's
481 official website within 5 days after adoption.

482 Section 9. Section 129.07, Florida Statutes, is amended to
483 read:

484 129.07 Unlawful to exceed the budget; ~~certain contracts~~
485 ~~void; commissioners contracting excess indebtedness personally~~
486 ~~liable. It is unlawful for~~ The board of county commissioners may
487 not ~~to~~ expend or enter into a contract requiring expenditures
488 ~~for the expenditure~~ in any fiscal year for more than the amount
489 of appropriations budgeted in each fund's budget, except as
490 provided herein, and ~~in no case shall~~ the total appropriations
491 of any budget may not be exceeded, except as provided in s.
492 129.06. ~~and~~ Any indebtedness contracted for any purpose against
493 either of the funds enumerated in this chapter or for any

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494 purpose, ~~the expenditure for~~ which is chargeable to either of
 495 the said funds, is ~~shall be~~ null and void, and no suit may ~~or~~
 496 ~~suits shall~~ be prosecuted in any court in this state for the
 497 collection of such indebtedness. ~~same, and~~ The members of the
 498 board of county commissioners voting ~~for~~ and contracting for
 499 such indebtedness ~~amounts and the bonds of such members of said~~
 500 ~~boards also~~ shall be liable for any ~~the~~ excess indebtedness ~~so~~
 501 contracted for.

502 Section 10. Section 129.201, Florida Statutes, is amended
 503 to read:

504 129.201 Budget of supervisor of elections; manner and time
 505 of preparation and presentation.—

506 (1) Pursuant to ss. 129.01 and ~~ss. 129.03(2)~~, each
 507 supervisor of elections shall annually prepare and submit
 508 ~~certify~~ to the board of county commissioners, or county budget
 509 commission if there is one in the county, a proposed budget for
 510 carrying out the powers, duties, and operations ~~of income and~~
 511 ~~expenditures to fulfill the duties, responsibilities, and~~
 512 ~~operation~~ of the office of the supervisor of elections for the
 513 next ensuing fiscal year ~~of the county~~. The fiscal year of the
 514 supervisor of elections commences ~~shall commence~~ on October 1 of
 515 each year and ends ~~shall end~~ on September 30 of the following
 516 year.

517 (2) ~~(a)~~ Within the functional category and object code,
 518 expenditures shall be itemized in accordance with the uniform
 519 accounting system prescribed by the Department of Financial
 520 Services ~~Each expenditure item in the budget for the supervisor~~
 521 ~~of elections shall be itemized generally as follows:~~

522 (a) ~~1.~~ Personnel services. ~~Compensation for the supervisor~~

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523 ~~of elections and all other personnel of the office.~~

524 (b)2. Operating expenses.

525 (c)3. Capital outlay.

526 (d)4. Nonoperating disbursements and contingency reserves.

527 ~~Contingencies and transfers.~~

528 ~~(b) To the extent appropriate, the budget shall be further~~
529 ~~itemized in conformance with the Uniform Accounting System for~~
530 ~~Local Units of Government in Florida adopted by rule of the~~
531 ~~Chief Financial Officer.~~

532 (3) The supervisor of elections shall furnish to the board
533 of county commissioners or the county budget commission all
534 relevant and pertinent information that the ~~which such~~ board or
535 commission deems ~~shall deem~~ necessary.

536 (4) The board or commission, as appropriate ~~the case may~~
537 ~~be~~, may require the supervisor of elections to correct
538 mathematical, mechanical, factual, and clerical errors and
539 errors of form in the proposed budget. At the hearings held
540 pursuant to s. 200.065, the board or commission may amend,
541 modify, increase, or reduce any or all items of expenditure in
542 the proposed budget; and, as amended, modified, increased, or
543 reduced, such budget shall be approved by the board or
544 commission, which must provide ~~giving~~ written notice of its
545 action to specific items amended, modified, increased, or
546 reduced.

547 (5) The board or commission shall include in the county
548 budget the items of proposed expenditures ~~as~~ set forth in the
549 budget which are required by this section to be submitted, after
550 the budget has been reviewed and approved. The board or
551 commission shall include the supervisor of elections' reserve

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552 for contingencies ~~provided herein~~ in the general county budget's
553 reserve for contingencies account ~~in the general county budget~~.

554 (6) The supervisor of elections' reserve for contingencies
555 ~~is in the budget of a supervisor of elections~~ shall be governed
556 by the same provisions governing the amount and use of the
557 reserve for contingencies appropriated in the county budget.

558 (7) The proposed budget shall be submitted to the board of
559 county commissioners or county budget commission pursuant to s.
560 129.03(2)~~7~~ and ~~the budget shall be~~ included by the board or
561 commission in the general county budget.

562 (8) The items placed in the budget of the board are
563 ~~pursuant to this act~~ shall be subject to the same provisions of
564 law as the county annual budget; however, an ~~no~~ amendment ~~may be~~
565 ~~made~~ to the appropriations of the office of the supervisor of
566 elections may not be made without due notice of the change to
567 the supervisor of elections.

568 (9) The budget of the supervisor of elections may be
569 increased by the board of county commissioners to cover such
570 expenses for emergencies and unanticipated expenses as are
571 recommended and justified by the supervisor of elections.

572 Section 11. Section 166.241, Florida Statutes, is amended
573 to read:

574 166.241 Fiscal years, ~~appropriations,~~ budgets, and budget
575 amendments.—

576 (1) Each municipality shall establish ~~make provision for~~
577 ~~establishing~~ a fiscal year beginning October 1 of each year and
578 ending September 30 of the following year.

579 (2) The governing body of each municipality shall adopt a
580 budget each fiscal year. The budget must be adopted by ordinance

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581 or resolution unless otherwise specified in the respective
582 municipality's charter. The amount available from taxation and
583 other sources, including balances brought forward amounts
584 ~~carried over~~ from prior fiscal years, must equal the total
585 appropriations for expenditures and reserves. At a minimum, the
586 adopted budget must show for each fund, as required by law and
587 sound financial practices, budgeted revenues and expenditures by
588 organizational unit in detail consistent with the annual
589 financial report required under s. 218.32(1). The adopted budget
590 must regulate expenditures of the municipality, and an it is
591 ~~unlawful for any~~ officer of a municipal government may not ~~to~~
592 expend or contract for expenditures in any fiscal year except
593 pursuant to the adopted budget ~~in pursuance of budgeted~~
594 ~~appropriations.~~

595 (3) The tentative and adopted tentative budgets must be
596 posted on the municipality's official website before the public
597 hearings, held pursuant to s. 200.065 or other law, to consider
598 such budgets. The final adopted budget must be posted on the
599 municipality's official website within 5 days after adoption. If
600 the municipality does not operate an official website, the
601 tentative budget, adopted tentative budget, and final budget
602 must be posted on the website of the county or counties in which
603 the municipality is located.

604 (4)~~(3)~~ The governing body of each municipality at any time
605 within a fiscal year or within up to 60 days following the end
606 of the fiscal year may amend a budget for that year as follows:

607 (a) Appropriations for expenditures within a fund may be
608 decreased or increased by motion recorded in the minutes if~~,~~
609 ~~provided that~~ the total ~~of the~~ appropriations of the fund is not

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610 changed.

611 (b) The governing body may establish procedures by which
 612 the designated budget officer may authorize ~~certain~~ budget
 613 amendments if within a department, ~~provided that~~ the total of
 614 ~~the~~ appropriations of the fund ~~department~~ is not changed.

615 (c) If a budget amendment is required for a purpose not
 616 specifically authorized in paragraph (a) or paragraph (b), the
 617 budget amendment must be adopted in the same manner as the
 618 original budget unless otherwise specified in the municipality's
 619 ~~of the respective municipality~~ charter.

620 (5) If the governing body of a municipality amends the
 621 budget pursuant to paragraph (4) (c), the adopted amendment must
 622 be posted on the official website of the municipality within 5
 623 days after adoption. If the municipality does not operate an
 624 official website, the amendment must be posted on the website of
 625 the county or counties in which the municipality is located.

626 Section 12. Paragraph (a) of subsection (1) of section
 627 189.4044, Florida Statutes, is amended to read:

628 189.4044 Special procedures for inactive districts.—

629 (1) The department shall declare inactive any special
 630 district in this state by documenting that:

631 (a) The special district meets one of the following
 632 criteria:

633 1. The registered agent of the district, the chair of the
 634 governing body of the district, or the governing body of the
 635 appropriate local general-purpose government notifies the
 636 department in writing that the district has taken no action for
 637 2 or more years;

638 2. Following an inquiry from the department, the registered

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639 agent of the district, the chair of the governing body of the
640 district, or the governing body of the appropriate local
641 general-purpose government notifies the department in writing
642 that the district has not had a governing board or a sufficient
643 number of governing board members to constitute a quorum for 2
644 or more years or the registered agent of the district, the chair
645 of the governing body of the district, or the governing body of
646 the appropriate local general-purpose government fails to
647 respond to the department's inquiry within 21 days; or

648 3. The department determines, pursuant to s. 189.421, that
649 the district has failed to file any of the reports listed in s.
650 189.419.

651 4. The district has not had a registered office and agent
652 on file with the department for 1 or more years.

653 Section 13. Subsection (1) of section 189.412, Florida
654 Statutes, is amended to read:

655 189.412 Special District Information Program; duties and
656 responsibilities.—The Special District Information Program of
657 the Department of Community Affairs is created and has the
658 following special duties:

659 (1) The collection and maintenance of special district
660 noncompliance status reports from the Department of Management
661 Services, the Department of Financial Services, the Division of
662 Bond Finance of the State Board of Administration, ~~and~~ the
663 Auditor General, and the Legislative Auditing Committee, for the
664 reporting required in ss. 112.63, 218.32, 218.38, and 218.39.
665 The noncompliance reports must list those special districts that
666 did not comply with the statutory reporting requirements.

667 Section 14. Subsections (3) through (7) of section 189.418,

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668 Florida Statutes, are amended to read:

669 189.418 Reports; budgets; audits.-

670 (3) The governing body of each special district shall adopt
671 a budget by resolution each fiscal year. The total amount
672 available from taxation and other sources, including balances
673 brought forward ~~amounts carried over~~ from prior fiscal years,
674 must equal the total of appropriations for expenditures and
675 reserves. At a minimum, the adopted budget must show for each
676 fund, as required by law and sound financial practices, budgeted
677 revenues and expenditures by organizational unit in detail
678 consistent with the annual financial report required under s.
679 218.32(1). The adopted budget must regulate expenditures of the
680 special district, and an ~~it is unlawful for any~~ officer of a
681 special district may not ~~to~~ expend or contract for expenditures
682 in any fiscal year except pursuant to the adopted budget ~~in~~
683 ~~pursuance of budgeted appropriations.~~

684 (4) The tentative and adopted tentative budgets must be
685 posted on the special district's official website before the
686 budget hearings, held pursuant to s. 200.065 or other law, to
687 consider such budgets. The final adopted budget must be posted
688 on the special district's official website within 5 days after
689 adoption. If the special district does not operate an official
690 website, the tentative budget, adopted tentative budget, and
691 final budget must be posted on the website of the local general-
692 purpose government or governments in which the special district
693 is located or the local governing authority to which the
694 district is dependent. This subsection and subsection (3) do not
695 apply to water management districts as defined within s.
696 373.019.

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697 (5)~~(4)~~ The proposed budget of a dependent special district
698 must shall be ~~presented in accordance with generally accepted~~
699 ~~accounting principles,~~ contained within the general budget of
700 the local governing authority to which it is dependent, and be
701 clearly stated as the budget of the dependent district. However,
702 with the concurrence of the local governing authority, a
703 dependent district may be budgeted separately. The dependent
704 district must provide any budget information requested by the
705 local governing authority at the time and place designated by
706 the local governing authority.

707 (6)~~(5)~~ The governing body of each special district at any
708 time within a fiscal year or within up to 60 days following the
709 end of the fiscal year may amend a budget for that year as
710 follows:-

711 (a) Appropriations for expenditures within a fund may be
712 decreased or increased by motion recorded in the minutes if the
713 total appropriations of the fund do not change.

714 (b) The governing body may establish procedures by which
715 the designated budget officer may authorize certain budget
716 amendments if the total appropriations of the fund is not
717 changed.

718 (c) If a budget amendment is required for a purpose not
719 specifically authorized in paragraph (a) or paragraph (b), the
720 budget amendment must be adopted by resolution.

721 (7) If the governing body of a special district amends the
722 budget pursuant to paragraph (6) (c), the adopted amendment must
723 be posted on the official website of the special district within
724 5 days after adoption. If the special district does not operate
725 an official website, the amendment must be posted on the website

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726 of the local general-purpose government or governments in which
727 the special district is located or the local governing authority
728 to which the district is dependent.

729 (8)-(6) A local general-purpose government governing
730 authority may, in its discretion, review the budget or tax levy
731 of any special district located solely within its boundaries.

732 (9) All special districts must comply with the financial
733 reporting requirements of ss. 218.32 and 218.39. A local
734 general-purpose government or governing authority may request,
735 from any special district located solely within its boundaries,
736 financial information in order to comply with its reporting
737 requirements under ss. 218.32 and 218.39. The special district
738 must cooperate with such request and provide the financial
739 information at the time and place designated by the local
740 general-purpose government or governing authority.

741 (10)-(7) All reports or information required to be filed
742 with a local general-purpose government or governing authority
743 under ss. 189.415, 189.416, and 189.417, and subsection (8) this
744 section shall:

745 (a) If ~~When~~ the local general-purpose government or
746 governing authority is a county, be filed with the clerk of the
747 board of county commissioners.

748 (b) If ~~When~~ the district is a multicounty district, be
749 filed with the clerk of the county commission in each county.

750 (c) If ~~When~~ the local general-purpose government or
751 governing authority is a municipality, be filed at the place
752 designated by the municipal governing body.

753 Section 15. Section 189.419, Florida Statutes, is amended
754 to read:

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755 189.419 Effect of failure to file certain reports or
756 information.—

757 (1) If an independent ~~a~~ special district fails to file the
758 reports or information required under s. 189.415, s. 189.416, ~~or~~
759 s. 189.417, or s. 189.418(9) with the local general-purpose
760 government or governments in which it is located ~~governing~~
761 ~~authority~~, the person authorized to receive and read the reports
762 or information or the local general-purpose government shall
763 notify the district's registered agent ~~and the appropriate local~~
764 ~~governing authority or authorities~~. If requested by the
765 district, the local general-purpose government ~~governing~~
766 ~~authority~~ shall grant an extension of ~~time of~~ up to 30 days for
767 filing the required reports or information.

768 ~~(2)~~ If the governing body of ~~at any time~~ the local general-
769 purpose government or governments ~~governing authority or~~
770 ~~authorities or the board of county commissioners~~ determines that
771 there has been an unjustified failure to file these ~~the~~ reports
772 or information ~~described in subsection (1)~~, it may notify the
773 department, and the department may proceed pursuant to s.
774 189.421(1).

775 (2) If a dependent special district fails to file the
776 reports or information required under s. 189.416, s. 189.417, or
777 s. 189.418(9) with the local governing authority to which it is
778 dependent, the local governing authority shall take whatever
779 steps it deems necessary to enforce the special district's
780 accountability. Such steps may include, as authorized,
781 withholding funds, removing governing board members at will,
782 vetoing the special district's budget, conducting the oversight
783 review process set forth in s. 189.428, or amending, merging, or

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784 dissolving the special district in accordance with the
785 provisions contained in the ordinance that created the dependent
786 special district.

787 (3) If a special district fails to file the reports or
788 information required under ~~s. 112.63, s. 218.32, s. 218.38, or~~
789 ~~s. 218.39~~ with the appropriate state agency, the agency shall
790 notify the department, and the department shall send a certified
791 technical assistance letter to the special district which
792 summarizes the requirements and encourages the special district
793 to take steps to prevent the noncompliance from reoccurring
794 proceed pursuant to s. 189.421.

795 (4) If a special district fails to file the reports or
796 information required under s. 112.63 with the appropriate state
797 agency, the agency shall notify the department and the
798 department shall proceed pursuant to s. 189.421(1).

799 (5) If a special district fails to file the reports or
800 information required under s. 218.32 or s. 218.39 with the
801 appropriate state agency or office, the state agency or office
802 shall, and the Legislative Auditing Committee may, notify the
803 department and the department shall proceed pursuant to s.
804 189.421.

805 Section 16. Section 189.421, Florida Statutes, is amended
806 to read:

807 189.421 Failure of district to disclose financial reports.—

808 (1)(a) If ~~when~~ notified pursuant to s. 189.419(1), (4), or
809 (5) ~~189.419~~, the department shall attempt to assist a special
810 district in complying to comply with its financial reporting
811 requirements by sending a certified letter to the special
812 district, and, if the special district is dependent, sending a

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813 copy of that ~~the~~ letter to the chair of the ~~governing body of~~
814 ~~the local governing authority.~~ The letter must include general-
815 ~~purpose government, which includes the following:~~ a description
816 of the required report, including statutory submission
817 deadlines, a contact telephone number for technical assistance
818 to help the special district comply, a 60-day deadline extension
819 ~~of time~~ for filing the required report with the appropriate
820 entity, the address where the report must be filed, and an
821 explanation of the penalties for noncompliance.

822 (b) A special district that is unable to meet the 60-day
823 reporting deadline must provide written notice to the department
824 before the expiration of the deadline stating the reason the
825 special district is unable to comply with the deadline, the
826 steps the special district is taking to prevent the
827 noncompliance from reoccurring, and the estimated date that the
828 special district will file the report with the appropriate
829 agency. The district's written response does not constitute an
830 extension by the department; however, the department shall
831 forward the written response as follows:

832 1. If the written response refers to the reports required
833 under s. 218.32 or s. 218.39, forward the written response to
834 the Legislative Auditing Committee for its consideration in
835 determining whether the special district should be subject to
836 further state action in accordance with s. 11.40(5)(b).

837 2. If the written response refers to the reports or
838 information requirements listed in s. 189.419(1), forward the
839 written response to the local general-purpose government or
840 governments for its consideration in determining whether the
841 oversight review process set forth in s. 189.428 should be

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842 undertaken.

843 3. If the written response refers to the reports or
844 information required under s. 112.63, forward the written
845 response to the Department of Management Services for its
846 consideration in determining whether the special district should
847 be subject to further state action in accordance with s.
848 112.63(4)(d)2. The department may grant an additional 30-day
849 extension of time if requested to do so in writing by the
850 special district. The department shall notify the appropriate
851 entity of the new extension of time. In the case of a special
852 district that did not timely file the reports or information
853 required by s. 218.38, the department shall send a certified
854 technical assistance letter to the special district which
855 summarizes the requirements and encourages the special district
856 to take steps to prevent the noncompliance from reoccurring.

857 (2) Failure of a special district to comply with the
858 actuarial and financial reporting requirements under s. 112.63,
859 s. 218.32, or s. 218.39 after the procedures of subsection (1)
860 are exhausted shall be deemed final action of the special
861 district. The actuarial and financial reporting requirements are
862 declared to be essential requirements of law. Remedy for
863 noncompliance shall be by writ of certiorari as set forth in
864 subsection (4) ~~(3)~~.

865 (3) Pursuant to s. 11.40(5)(b), the Legislative Auditing
866 Committee shall notify the department of those districts that
867 fail ~~failed~~ to file the required reports ~~report~~. If the
868 procedures described in subsection (1) have not yet been
869 initiated, the department shall initiate such procedures upon
870 receiving the notice from the Legislative Auditing Committee.

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871 Otherwise, within 60 ~~30~~ days after receiving such ~~this~~ notice,
872 or within 60 ~~30~~ days after the expiration of the 60-day deadline
873 ~~extension date~~ provided in subsection (1), whichever occurs
874 later, the department, ~~shall proceed as follows:~~ notwithstanding
875 the provisions of chapter 120, ~~the department~~ shall file a
876 petition for writ of certiorari with the circuit court. Venue
877 for all actions pursuant to this subsection is ~~shall be~~ in Leon
878 County. The court shall award the prevailing party attorney's
879 fees and costs in all cases filed pursuant to this section
880 unless affirmatively waived by all parties. A writ of certiorari
881 shall be issued unless a respondent establishes that the
882 notification of the Legislative Auditing Committee was issued as
883 a result of material error. Proceedings under this subsection
884 shall otherwise be governed by the Rules of Appellate Procedure.

885 (4) Pursuant to s. 112.63(4)(d)2., the Department of
886 Management Services may notify the department of those special
887 districts that have failed to file the required adjustments,
888 additional information, or report or statement after the
889 procedures of subsection (1) have been exhausted. Within 60 days
890 after receiving such notice or within 60 days after the 60-day
891 deadline provided in subsection (1), whichever occurs later, the
892 department, notwithstanding chapter 120, shall file a petition
893 for writ of certiorari with the circuit court. Venue for all
894 actions pursuant to this subsection is in Leon County. The court
895 shall award the prevailing party attorney's fees and costs in
896 all cases filed pursuant to this section unless affirmatively
897 waived by all parties. A writ of certiorari shall be issued
898 unless a respondent establishes that the notification of the
899 Department of Management Services was issued as a result of

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900 material error. Proceedings under this subsection are otherwise
901 governed by the Rules of Appellate Procedure.

902 Section 17. Subsection (6) is added to section 195.087,
903 Florida Statutes, to read:

904 195.087 Property appraisers and tax collectors to submit
905 budgets to Department of Revenue.—

906 (6) The final approved budget of each property appraiser
907 and tax collector must be posted on the county's official
908 website within 5 days of adoption of the county's budget. The
909 final approved budget of each property appraiser and tax
910 collector may be included in the county's budget.

911 Section 18. Paragraphs (d), (e), and (f) of subsection (1)
912 of section 218.32, Florida Statutes, are amended, and paragraph
913 (g) is added to that subsection, to read:

914 218.32 Annual financial reports; local governmental
915 entities.—

916 (1)

917 (d) Each local governmental entity that is required to
918 provide for an audit under ~~in accordance with~~ s. 218.39(1) must
919 submit ~~the annual financial report with the audit report.~~ a copy
920 of the audit report and annual financial report ~~must be~~
921 ~~submitted~~ to the department within 45 days after the completion
922 of the audit report but no later than 9 ~~12~~ months after the end
923 of the fiscal year.

924 (e) Each local governmental entity that is not required to
925 provide for an audit under ~~report in accordance with~~ s. 218.39
926 must submit the annual financial report to the department no
927 later than 9 months after the end of the fiscal ~~April 30 of each~~
928 year. The department shall consult with the Auditor General in

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929 the development of the format of annual financial reports
930 submitted pursuant to this paragraph. The format must ~~shall~~
931 include balance sheet information used to be utilized by the
932 Auditor General pursuant to s. 11.45(7)(f). The department must
933 forward the financial information contained within the ~~these~~
934 ~~entities'~~ annual financial reports to the Auditor General in
935 electronic form. This paragraph does not apply to housing
936 authorities created under chapter 421.

937 (f) If the department does not receive a completed annual
938 financial report from a local governmental entity within the
939 required period, it shall notify the Legislative Auditing
940 Committee and the Special District Information Program of the
941 Department of Community Affairs of the ~~local governmental~~
942 entity's failure to comply with the reporting requirements. The
943 committee shall proceed in accordance with s. 11.40(5).

944 (g) Each local governmental entity's website must provide a
945 link to the department's website to view the entity's annual
946 financial report submitted to the department pursuant to this
947 section. If the local governmental entity does not have an
948 official website, the county government's website must provide
949 the required link for the local governmental entity.

950 Section 19. Section 218.35, Florida Statutes, is amended to
951 read:

952 218.35 County fee officers; financial matters.—

953 (1) Each county fee officer shall establish an annual
954 budget for carrying out the powers, duties, and operations of
955 his or her office for the next county fiscal year ~~which shall~~
956 ~~clearly reflect the revenues available to said office and the~~
957 ~~functions for which money is to be expended.~~ The budget must

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958 shall be balanced so that; ~~that is~~, the total of estimated
959 receipts, including balances brought forward, equals ~~shall equal~~
960 the total of estimated expenditures and reserves. The budgeting
961 of segregated funds must ~~shall~~ be made in a such manner that
962 retains the relation between program and revenue source, as
963 provided by law ~~is retained~~.

964 (2) The clerk of the circuit court, functioning in his or
965 her capacity as clerk of the circuit and county courts and as
966 clerk of the board of county commissioners, shall prepare his or
967 her budget in two parts:

968 (a) The budget for funds necessary to perform court-related
969 functions as provided ~~for~~ in s. 28.36, ~~which shall detail the~~
970 ~~methodologies used to apportion costs between court-related and~~
971 ~~non-court-related functions performed by the clerk.~~

972 (b) The budget relating to the requirements of the clerk as
973 clerk of the board of county commissioners, county auditor, and
974 custodian or treasurer of all county funds and other county-
975 related duties, which shall be annually prepared and submitted
976 to the board of county commissioners pursuant to s. 129.03(2),
977 for each fiscal year. Within the functional category and object
978 code, expenditures shall be itemized in accordance with the
979 uniform accounting system prescribed by the Department of
980 Financial Services as follows:

981 1. Personnel services.

982 2. Operating expenses.

983 3. Capital outlay.

984 4. Nonoperating disbursements and contingency reserves.

985 (3) The final approved budget of the clerk of the circuit
986 court must be posted on the county's official website within 5

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987 days after adoption. The final approved budget of the clerk of
 988 the circuit court may be included in the county's budget.

989 (4)~~(3)~~ Each county fee officer shall establish ~~make~~
 990 ~~provision for establishing~~ a fiscal year beginning October 1 and
 991 ending September 30 of the following year, and shall report his
 992 or her finances annually upon the close of each fiscal year to
 993 the county fiscal officer for inclusion in the annual financial
 994 report by the county.

995 (5)~~(4)~~ The proposed budget of a county fee officer shall be
 996 filed with the clerk of the county governing authority by
 997 September 1 preceding the fiscal year for the budget, except for
 998 the budget prepared by the clerk of the circuit court for court-
 999 related functions as provided in s. 28.36.

1000 Section 20. Section 218.39, Florida Statutes, is amended to
 1001 read:

1002 218.39 Annual financial audit reports.—

1003 (1) If, by the first day in any fiscal year, a local
 1004 governmental entity, district school board, charter school, or
 1005 charter technical career center has not been notified that a
 1006 financial audit for that fiscal year will be performed by the
 1007 Auditor General, each of the following entities shall have an
 1008 annual financial audit of its accounts and records completed
 1009 within 9 ~~12~~ months after the end of its fiscal year by an
 1010 independent certified public accountant retained by it and paid
 1011 from its public funds:

1012 (a) Each county.

1013 (b) Any municipality with revenues or the total of
 1014 expenditures and expenses in excess of \$250,000.

1015 (c) Any special district with revenues or the total of

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1016 expenditures and expenses in excess of \$100,000.

1017 (d) Each district school board.

1018 (e) Each charter school established under s. 1002.33.

1019 (f) Each charter technical center established under s.
1020 1002.34.

1021 (g) Each municipality with revenues or the total of
1022 expenditures and expenses between \$100,000 and \$250,000 that has
1023 not been subject to a financial audit pursuant to this
1024 subsection for the 2 preceding fiscal years.

1025 (h) Each special district with revenues or the total of
1026 expenditures and expenses between \$50,000 and \$100,000 that has
1027 not been subject to a financial audit pursuant to this
1028 subsection for the 2 preceding fiscal years.

1029 (2) The county audit report must ~~shall~~ be a single document
1030 that includes a financial audit of the county as a whole and,
1031 for each county agency other than a board of county
1032 commissioners, an audit of its financial accounts and records,
1033 including reports on compliance and internal control, management
1034 letters, and financial statements as required by rules adopted
1035 by the Auditor General. In addition ~~to such requirements~~, if a
1036 board of county commissioners elects to have a separate audit of
1037 its financial accounts and records in the manner required by
1038 rules adopted by the Auditor General for other county agencies,
1039 the ~~such~~ separate audit must ~~shall~~ be included in the county
1040 audit report.

1041 (3) (a) A dependent special district may provide ~~make~~
1042 ~~provision~~ for an annual financial audit by being included in
1043 ~~within~~ the audit of the ~~another~~ local governmental entity upon
1044 which it is dependent. An independent special district may not

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1045 make provision for an annual financial audit by being included
1046 in ~~within~~ the audit of another local governmental entity.

1047 (b) A special district that is a component unit, as defined
1048 by generally accepted accounting principles, of a local
1049 governmental entity shall provide the local governmental entity,
1050 within a reasonable time period as established by the local
1051 governmental entity, with financial information necessary to
1052 comply with this section. The failure of a component unit to
1053 provide this financial information must be noted in the annual
1054 financial audit report of the local governmental entity.

1055 (4) A management letter shall be prepared and included as a
1056 part of each financial audit report.

1057 (5) At the conclusion of the audit, the auditor shall
1058 discuss with the chair of the governing body of the ~~each~~ local
1059 governmental entity or the chair's designee, ~~or with~~ the elected
1060 official of each county agency or ~~with~~ the elected official's
1061 designee, ~~or with~~ the chair of the district school board or the
1062 chair's designee, ~~or with~~ the chair of the board of the charter
1063 school or the chair's designee, or ~~with~~ the chair of the board
1064 of the charter technical career center or the chair's designee,
1065 as appropriate, all of the auditor's comments that will be
1066 included in the audit report. If the officer is not available to
1067 discuss the auditor's comments, their discussion is presumed
1068 when the comments are delivered in writing to his or her office.
1069 The auditor shall notify each member of the governing body of a
1070 local governmental entity, district school board, charter
1071 school, or charter technical career center for which
1072 deteriorating financial conditions exist that may cause a
1073 condition described in s. 218.503(1) to occur if actions are not

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1074 taken to address such conditions.

1075 (6) The officer's written statement of explanation or
1076 rebuttal concerning the auditor's findings, including corrective
1077 action to be taken, must be filed with the governing body of the
1078 local governmental entity, district school board, charter
1079 school, or charter technical career center within 30 days after
1080 the delivery of the auditor's findings.

1081 (7) All audits conducted pursuant to this section must be
1082 conducted in accordance with the rules of the Auditor General
1083 adopted pursuant to s. 11.45. Upon completion of the audit, the
1084 auditor shall prepare an audit report in accordance with the
1085 rules of the Auditor General. The audit report shall be filed
1086 with the Auditor General within 45 days after delivery of the
1087 audit report to the governing body of the audited entity, but no
1088 later than 9 months after the end of the audited entity's fiscal
1089 year. The audit report must include a written statement
1090 describing corrective actions to be taken in response to each of
1091 the auditor's recommendations included in the audit report.

1092 (8) The Auditor General shall notify the Legislative
1093 Auditing Committee of any audit report prepared pursuant to this
1094 section which indicates that an audited entity has failed to
1095 take full corrective action in response to a recommendation that
1096 was included in the two preceding financial audit reports. The
1097 committee may direct the governing body of the audited entity to
1098 provide a written statement to the committee explaining why full
1099 corrective action has not been taken or, if the governing body
1100 intends to take full corrective action, describing the
1101 corrective action to be taken and when it will occur. If the
1102 committee determines that the written statement is not

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1103 sufficient, it may require the chair of the governing body of
1104 the local governmental entity or the chair's designee, the
1105 elected official of each county agency or the elected official's
1106 designee, the chair of the district school board or the chair's
1107 designee, the chair of the board of the charter school or the
1108 chair's designee, or the chair of the board of the charter
1109 technical career center or the chair's designee, as appropriate,
1110 to appear before the committee. If the committee determines that
1111 an audited entity has failed to take full corrective action for
1112 which there is no justifiable reason for not taking such action,
1113 or has failed to comply with committee requests made pursuant to
1114 this section, the committee may proceed in accordance with s.
1115 11.40(5).

1116 (9)-(7) The predecessor auditor of a district school board
1117 shall provide the Auditor General access to the prior year's
1118 working papers in accordance with the Statements on Auditing
1119 Standards, including documentation of planning, internal
1120 control, audit results, and other matters of continuing
1121 accounting and auditing significance, such as the working paper
1122 analysis of balance sheet accounts and those relating to
1123 contingencies.

1124 ~~(8) All audits conducted in accordance with this section~~
1125 ~~must be conducted in accordance with the rules of the Auditor~~
1126 ~~General promulgated pursuant to s. 11.45. All audit reports and~~
1127 ~~the officer's written statement of explanation or rebuttal must~~
1128 ~~be submitted to the Auditor General within 45 days after~~
1129 ~~delivery of the audit report to the entity's governing body, but~~
1130 ~~no later than 12 months after the end of the fiscal year.~~

1131 (10)-(9) Each charter school and charter technical career

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1132 center must file a copy of its audit report with the sponsoring
1133 entity; the local district school board, if not the sponsoring
1134 entity; the Auditor General; and with the Department of
1135 Education.

1136 ~~(11)~~~~(10)~~ This section does not apply to housing authorities
1137 created under chapter 421.

1138 ~~(12)~~~~(11)~~ Notwithstanding the provisions of any local law,
1139 the provisions of this section shall govern.

1140 Section 21. Paragraph (e) of subsection (1) of section
1141 218.503, Florida Statutes, is amended to read:

1142 218.503 Determination of financial emergency.—

1143 (1) Local governmental entities, charter schools, charter
1144 technical career centers, and district school boards shall be
1145 subject to review and oversight by the Governor, the charter
1146 school sponsor, the charter technical career center sponsor, or
1147 the Commissioner of Education, as appropriate, when any one of
1148 the following conditions occurs:

1149 (e) A ~~An unreserved or total~~ fund balance ~~or retained~~
1150 ~~earnings~~ deficit in total or for that portion of fund balance
1151 classified as neither restricted or nonspendable, or a
1152 ~~unrestricted or total~~ or unrestricted net assets deficit, as
1153 reported on the balance sheet or statement of net assets on the
1154 ~~general purpose or~~ fund financial statements of entities
1155 required to report under governmental financial reporting
1156 standards, or on the basic financial statements of entities
1157 required to report under not-for-profit financial reporting
1158 standards, for which sufficient resources of the local
1159 governmental entity, charter school, charter technical career
1160 center, or district school board, as reported on the ~~balance~~

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1161 ~~sheet or statement of net assets on the general purpose or fund~~
1162 financial statements, are not available to cover the deficit.
1163 Resources available to cover reported deficits include fund
1164 balance or net assets that are not otherwise restricted by
1165 federal, state, or local laws, bond covenants, contractual
1166 agreements, or other legal constraints. Property, plant, and
1167 equipment ~~Fixed or capital assets~~, the disposal of which would
1168 impair the ability of a local governmental entity, charter
1169 school, charter technical career center, or district school
1170 board to carry out its functions, are not considered resources
1171 available to cover reported deficits.

1172 Section 22. Paragraph (c) of subsection (5) of section
1173 373.536, Florida Statutes, is amended, and paragraph (c) is
1174 added to subsection (6) of that section, to read:

1175 373.536 District budget and hearing thereon.—

1176 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
1177 APPROVAL.—

1178 (c) Each water management district shall, by August 1 of
1179 each year, submit for review a tentative budget to the Governor,
1180 the President of the Senate, the Speaker of the House of
1181 Representatives, the chairs of all legislative committees and
1182 subcommittees with substantive or fiscal jurisdiction over water
1183 management districts, as determined by the President of the
1184 Senate or the Speaker of the House of Representatives as
1185 applicable, the secretary of the department, and the governing
1186 body of each county in which the district has jurisdiction or
1187 derives any funds for the operations of the district. The
1188 tentative budget must be posted on the water management
1189 district's official website at least 2 days before budget

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1190 hearings held pursuant to s. 200.065 or other law.

1191 (6) FINAL BUDGET; ANNUAL AUDIT; CAPITAL IMPROVEMENTS PLAN;
1192 WATER RESOURCE DEVELOPMENT WORK PROGRAM.—

1193 (c) The final adopted budget must be posted on the water
1194 management district's official website within 5 days after
1195 adoption.

1196 Section 23. Subsections (1) and (5) of section 1011.03,
1197 Florida Statutes, are amended, and subsection (6) is added to
1198 that section, to read:

1199 1011.03 Public hearings; budget to be submitted to
1200 Department of Education.—

1201 (1) Each district school board must cause a summary of its
1202 tentative budget, including the proposed millage levies as
1203 provided for by law, and graphs illustrating a historical
1204 summary of financial and demographic data, to be advertised at
1205 least once ~~one time~~ as a full-page advertisement in the
1206 newspaper with the largest circulation published in the district
1207 or to be posted at the courthouse door if there be no such
1208 newspaper. The board shall post the summary of its tentative
1209 budget on the district's official website. If the district does
1210 not operate an official website, the summary must be posted on
1211 the website of the county in which the district is located.

1212 (5) The board shall hold public hearings to adopt tentative
1213 and final budgets pursuant to s. 200.065. The hearings shall be
1214 primarily for the purpose of hearing requests and complaints
1215 from the public regarding the budgets and the proposed tax
1216 levies and for explaining the budget and proposed or adopted
1217 amendments thereto, if any. The tentative and adopted tentative
1218 budgets must be posted on the district's official website 5 days

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1219 before the budget hearings held pursuant to s. 200.065 or other
1220 law. Upon adoption, the final budget must be posted on the
1221 district's official website within 5 days after adoption. If the
1222 district does not operate an official website, the tentative
1223 budget, adopted tentative budget, and final budget must be
1224 posted on the website of the county in which it is located. The
1225 ~~district school~~ board shall ~~then~~ require the superintendent to
1226 transmit ~~forthwith~~ two copies of the adopted budget to the
1227 Department of Education for approval as prescribed by law and
1228 rules of the State Board of Education.

1229 (6) If the governing body of a district amends the budget,
1230 the adopted amendment must be posted on the official website of
1231 the district within 5 days after adoption. If the district does
1232 not operate an official website, the amendment must be posted on
1233 the website of the county in which it is located.

1234 Section 24. Section 1011.051, Florida Statutes, is amended
1235 to read:

1236 1011.051 Guidelines for general funds.—The district school
1237 board shall maintain a ~~an unreserved~~ general fund ending fund
1238 balance that is sufficient to address normal contingencies.

1239 (1) If at any time the portion of the unreserved general
1240 fund's ending fund fund balance classified as neither restricted
1241 or nonspendable in the district's approved operating budget is
1242 projected to fall ~~during the current fiscal year~~ below 3 percent
1243 of projected general fund revenues during the current fiscal
1244 year, the superintendent shall provide written notification to
1245 the district school board and the Commissioner of Education.

1246 (2) If at any time the portion of the unreserved general
1247 fund's ending fund fund balance classified as neither restricted

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1248 or nonspendable in the district's approved operating budget is
1249 projected to fall ~~during the current fiscal year~~ below 2 percent
1250 of projected general fund revenues during the current fiscal
1251 year, the superintendent shall provide written notification to
1252 the district school board and the Commissioner of Education.
1253 Within 14 days after receiving such notification, if the
1254 commissioner determines that the district does not have a plan
1255 that is reasonably anticipated to avoid a financial emergency as
1256 determined pursuant to s. 218.503, the commissioner shall
1257 appoint a financial emergency board that shall operate
1258 consistent with the requirements, powers, and duties specified
1259 in s. 218.503(3)(g).

1260 Section 25. Paragraph (a) of subsection (3) of section
1261 1011.64, Florida Statutes, is amended to read:

1262 1011.64 School district minimum classroom expenditure
1263 requirements.—

1264 (3)(a) Annually the Department of Education shall calculate
1265 for each school district:

1266 1. Total K-12 operating expenditures, which are defined as
1267 the amount of total general fund expenditures for K-12 programs
1268 as reported in accordance with the accounts and codes prescribed
1269 in the most recent issuance of the Department of Education
1270 publication entitled "Financial and Program Cost Accounting and
1271 Reporting for Florida Schools" and as included in the most
1272 recent annual financial report submitted to the Commissioner of
1273 Education, less the student transportation revenue allocation
1274 from the state appropriation for that purpose, amounts
1275 transferred to other funds, and increases to the amount of the
1276 general fund's ~~fund-unreserved~~ ending fund balance classified as

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1277 neither restricted or nonspendable when the total ~~unreserved~~
1278 ending fund balance classified as neither restricted or
1279 nonspendable is in excess of 5 percent of the total general fund
1280 revenues.

1281 2. Expenditures for classroom instruction, which shall be
1282 the sum of the general fund expenditures for K-12 instruction
1283 and instructional staff training.

1284 Section 26. This act shall take effect upon becoming a law.