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SOUTH BROWARD HOSPITAL DISTRICT

(through regular 1999 legislative session of Legislature, State of Florida)

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October 30, 2000

**EXPLANATION OF CHARTER OF
SOUTH BROWARD HOSPITAL DISTRICT
A SPECIAL TAX DISTRICT UNDER
THE LAWS OF THE STATE OF FLORIDA**

South Broward Hospital District is an independent special tax district under the laws of the State of Florida. Under the provisions of Ch. 165.031, Fla. Stat., the hospital district is also deemed to be a unit of local government.

The powers and duties of South Broward Hospital District are derived from the general laws of the State of Florida and from Ch. 24415, Laws of Fla. (1947), as amended.

Ch. 24415, Laws of Fla. (1947), as amended, represents the “charter” of the hospital district.

In effect, the hospital district is an independent special tax district which has the authority under its charter to own and operate public hospitals and health care facilities in the southern part of Broward County, Florida. I have rendered an opinion to the hospital district that there is no language in the charter which precludes the hospital district from owning and operating ancillary types of health care facilities outside of the jurisdiction area of the hospital district, providing that such ancillary health care facilities support the primary purposes of the hospital district with respect to the ownership and operation of public hospitals within the jurisdiction area of the hospital district. However, the hospital district does not have the authority to operate independent public hospitals outside the jurisdictional area of the hospital district.

The geographical area over which the hospital district has jurisdiction is approximately the southern one-third of Broward County, Florida. The boundaries of the hospital district extend from approximately Southwest 36th Street (Fort Lauderdale) on the north to the Dade County, Florida line on the south and from the Atlantic Ocean on the east to the Collier County, Florida line on the west. Such area includes the incorporated cities of Cooper City, Dania, Davie, Hallandale, Hollywood, Pembroke Park, Pembroke Pines and Miramar, Florida, as well as the unincorporated areas in the southern one-third of Broward County. As a further point of reference in the general area of Federal Highway, the north boundary of the hospital district is contiguous with the north runway of Fort Lauderdale-Hollywood International Airport that is, the north runway which runs in an east-west direction).

The governing body of the hospital district is currently a seven-member board appointed pursuant to the charter of the hospital district by the Governor of the State of Florida for four-year staggered terms of office.

The basic enabling act, which created South Broward Hospital District, was the aforesaid Ch. 24415, Laws of Fla. (1947). However, the basic enabling act was subsequently amended in various parts by 29 subsequent special acts adopted by the state legislature. Such special acts were adopted from time to time at a total of 19 legislative sessions subsequent to the 1947 session when the basic enabling act was adopted.

The first amendments were adopted during the 1959 legislative session when three special acts amending the basic legislative enactment were adopted. The final amendment was adopted at the 1999 session of the state legislature.

The charter of the hospital district is nothing more than a compilation of the original 1947 special act and all of the subsequent amendments thereto. In order to have a meaningful understanding of the charter of the hospital district, as amended, it is necessary to read and consider the original 1947 act, together with the 30 amendments thereto, as one aggregate and combined document.

I have taken the time to consolidate the original 1947 act, and all of the 30 amendments thereto, into one combined document and same is submitted to you herewith. In those portions of the text where earlier amendments have been made, I have furnished to you the legal citations which show the legislative authority for each amendment.

I have also prepared an index to the charter. Please understand that the index is not a part of the official charter but is merely my work product to assist in locating sections in the charter on specific subjects.

In reporting to you about special acts which pertain only to the hospital district, I should describe a further class of special act which does not directly relate to the charter of the hospital district but which is the type of special act known as a claims relief act.

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In the entire history of South Broward Hospital District, there have been only five claims relief acts enacted by the State of Florida, as of the date of this report, in favor of patients against South Broward Hospital District.

Gary Barber
General Counsel

CHARTER

SOUTH BROWARD HOSPITAL DISTRICT

(through regular 1999 legislative session of Legislature, State of Florida)

TITLE
LAWS OF FLORIDA

Ch. 24415, Laws of Fla. (1947),

**As amended (through regular 1999 legislative session
of Legislature, State of Florida)**

AN ACT Creating and Incorporating a Special Tax District in Broward County, Florida, to Be Known as the South Broward Hospital District; Fixing and Prescribing the Boundaries of Said District; Providing for the Governing and Administration of the Same; Providing and Defining the Powers and Purposes of Said District and of the Board of Commissioners Thereof; Authorizing and Empowering Such Board to Establish, Contract, Operate and Maintain Such Hospital or Hospitals as May Be Established and Constructed by Said Board in Said District; Authorizing and Providing for the Issuance and Sale of Bonds of Said District; Authorizing and Empowering Such Board to Borrow Money on the Note or Notes of Said District; Authorizing and Providing for the Levy and Collection of Taxation for the Payment of Said Bonds and the Interest Thereon, and for the Payment of Said Notes or the Interest Thereon, and Authorizing and Providing for the Levy and Collection of Additional Taxes for the Repair and Maintenance of Said Hospital or Hospitals; Authorizing and Providing Generally the Powers and Duties of Said Board on Its Behalf; Authorizing Establishment of Hospital Staff and Nursing School; and Providing for Approval of This Act by a Referendum Election of the Qualified Electors Owning Real Property in Said District.

Be it enacted by the Legislature of the State of Florida:

Section 1.

That a special tax district is hereby created and incorporated, to be known as "South Broward Hospital District" in Broward County, Florida, which said district shall embrace and include the following described property in Broward County, Florida to-wit:

Begin at a point where the North boundary line of Section 25, Township 50 South, Range 42 east intersects the line of mean low tide of the Atlantic Ocean; thence run westerly along the North boundary line of Sections 25, 26, 27, 28, 29 and 30 in Township 50 South, Range 42 East, and continue westerly along the North boundary line of Sections 25, 26, 27, 28, 29 and 30 in Township 50 South, Range 41 East, to the westerly boundary of Range 41 East, thence continue in a southerly direction along the westerly boundary line of said Section 30 to a point of intersection with the North boundary line of Section 25, Township 50 South, Range 40 East, extended easterly; thence westerly along the North boundary line of said Section 25 to the Northwest corner of said Section 25, Township 50 South, Range 40 East; thence in a southerly direction along the West boundary line of Sections 25 and 36 of Township 50 South, Range 40 East, and continue southerly along the West boundary lines of Sections 1, 12, 13, 24, 25 and 36, Township 51 South, Range 40 East, to the southwest corner of said Section 36; thence easterly along the South boundary line of said Section 36 to the southeast corner thereof; thence run northerly along the East line of Section 36, Township 51 South, Range 40 East to a point where the south boundary line of Section 30, Township 51 South, Range 41 East, intersects the east boundary line of said Section 36, Township 51 South, Range 40 East; thence run easterly along the south boundary line of Sections 30, 29, 28, 27, 26 and 25 in Township 51 South, Range 41 East, and continue easterly along the south boundary line of Sections 30, 29, 28, 27, 26 and 25 in Township 51 South, Range 42 East, to a point where the south boundary line of said Section 25, Township 51 South, Range 42 East; intersects the mean low tide of the Atlantic Ocean; thence run northerly along said mean low tide line of Atlantic Ocean to the point of beginning expressly

excepting from the foregoing description all lands lying and being within the corporate limits of the City of Fort Lauderdale, Broward County, Florida, as the said limits exist on the date of passage of this Act.

Section 1-A

Added by
Ch. 65-1339, Laws of Fla. (1965).

The following described property in Broward County, Florida, is hereby annexed to the South Broward Hospital District, and the district shall include said property, to wit:

Begin at the Northwest corner of Section 25, Township 50 South, Range 40 East; thence run Westerly along the North boundary line of Sections 26 to 30, inclusive, of Township 50 South, Range 40 East, and continue Westerly along the North boundary line of Sections 25 to 30, inclusive, of Township 50 South, Range 39 East, and continue Westerly along the North boundary line of Sections 25 to 30, inclusive, of Township 50 South, Range 38 East, and continue Westerly along the North boundary line of Sections 25 to 30, inclusive, of Township 50 South, Range 37 East, to the East boundary line of Section 25, Township 50 South, Range 36 East; thence run Northerly along said East boundary line of said Section 25 to the Northeast corner of said Section 25, Township 50 South, Range 36 East; thence continue Westerly along the North boundary line of Sections 25 to 30, inclusive, of Township 50 South, Range 36 East, and continue Westerly along the North boundary line of Sections 25 to 30, inclusive of Township 50 South, Range 35 East, to the Western boundary line of Broward County, Florida; thence run Southerly along the said west boundary line of Broward County, Florida to the Southwest corner of Broward County, Florida; thence run Easterly along the South boundary line of Broward County, Florida to

the Southwest corner of Section 36, Township 51 South, Range 40 East; thence run North along the West boundary line of Sections 36, 25, 24, 13, 12, and 1 of Township 51 South, Range 40 East; continue Northerly along the west boundary line of Sections 36 and 25 of Township 50 South Range 40 East to the Northwest corner of said Section 25, Township 50 South, Range 40 East, which is the point of the beginning.

Section 2.

Amended by
Ch. 61-1932, Laws of Fla. (1961),

and further amended by
Ch. 69-910, Laws of Fla. (1969),

and further amended by
Ch. 79-431, Laws of Fla. (1979).

That said South Broward Hospital District shall be composed of the following sub-districts:

Sub-district No. 1 shall include the following described property:

Beginning at the point where the north boundary line of Section 25, Township 50 South, Range 42 East, Broward County, Florida, intersects the mean low water line of the Atlantic Ocean, run Westerly along the north line of Sections 25, 26, 27, 28, 29 and 30 in Township 50 South, Range 42 East, and continue Westerly along the north line of Sections 25, 26 and 27 in Township 50 South, Range 41 East to the northwest corner of said Section 27; thence, Southerly along the west line of Sections 27 and 34 in Township 50 South, Range 41 East, and continue Southerly along the west line of Section 3, Township 51 South, Range 42 East, to the southwest corner of said Section 3, thence, Easterly along the south line of

Sections 3, 2 and 1, Township 51 South, Range 41 East, and continue Easterly along the south line of Sections 6, 5, 4, 3, 2 and 1 in Township 51 South, Range 42 East, to the point of intersection with the mean low water line of the Atlantic Ocean; thence, Northerly along said mean low water line of the Atlantic Ocean to the point of beginning; expressly excepting from the foregoing description all lands, if any, lying and beginning within the corporate limits of the City of Fort Lauderdale, Broward County, Florida, as the said limits exist on the date of passage of this act.

Sub-district No 2 shall include the following described property:

Beginning at the point where the south boundary line of Section 1, Township 51 South, Range 42 East, Broward County, Florida, intersects the mean low water line of the Atlantic Ocean, run Westerly along the south line of Sections 1, 2, 3, 4, 5 and 6 in Township 51 South, Range 42 East, and continue Westerly along the south line of Sections 1, 2 and 3 in Township 51 South, Range 41 East, to the southwest corner of said Section 3; thence, Southerly along the west line of Sections 10, 15 and 22 in Township 51 South, Range 41 East, to the Quarter Corner on the west boundary of said Section 22; thence, Easterly along the Quarter Section line through Sections 22, 23 and 24 in Township 51 South, Range 41 East, and continue Easterly along the Quarter Section line through Sections 19, 20, 21, 22, 23 and 24 in Township 51 South, Range 42 East, to the point of intersection with the mean low water line of the Atlantic Ocean; thence, Northerly along said mean low water line of the Atlantic Ocean to the point of beginning.

Sub-district No. 3 shall include the following described property:

Beginning at the point where the East-West Quarter Section line of Section 24,

Township 51 South, Range 42 East, Broward County, Florida, intersects the mean low water line of the Atlantic Ocean, run westerly along the Quarter Section line through Sections 24, 23, 22, 21, 20 and 19, Township 51 South, Range 42 East, and continue Westerly along the Quarter Section line, Range 41 East, to the west boundary of said Section 22; thence, Southerly along the west line of Sections 22 and 27 in Township 51 South, Range 41 East, to the southwest corner of said Sections 27, 26 and 25 in Township 51 South, Range 41 East, and continue Easterly along the south line of Sections 30, 29, 28, 27 and 26 in Township 51 South, Range 42 East, to the point of intersection with the mean low water line of the Atlantic Ocean to the point of beginning.

Sub-district No. 4 shall include the following described property:

Beginning at the northeast corner of Section 28, Township 50 South, Range 41 East, Broward County, Florida, run Westerly along the north line of Sections 28, 29 and 30 in Township 50 South, Range 41, East, to the west line of Range 41 East, thence, Southerly along the west line of said Section 30 to a point of intersection with the north line of Section 25, Township 50 South, Range 40 East, extended easterly; thence, Westerly along the north line of Sections 25, 26, 27, 28, 29 and 30 in Township 50 South, Range 40 East and continue Westerly along the north line of Sections 25, 26, 27, 28, 29 and 30 in Township 50 South, Range 39 East, and continue Westerly along the north line of Sections 25, 26, 27, 28, 29 and 30, Township 50 South, Range 37 East, to the east line of Section 25, Township 50 South, Range 36 East; thence Northerly along the east line of said Section 25 to the northeast corner of said Section 25; thence Westerly along the north line of Sections 25, 26, 27, 28, 29 and 30, Township 50 South, Range 36

East, and continue Westerly along the north line of Sections 25, 26, 27, 28, 29 and 30, Township 50 South, Range 35 East, to the west line of Range 35 East, being the western limits of Broward County; thence Southerly along the west line of Range 35 to the southwest corner of Section 18, Township 51 South, Range 35 East; thence, Easterly along the south line of Sections 18, 17, 16, 15, 14 and 13, Township 51 South, Range 36 East to the east line of said Range 36 East; thence Southerly along said east line of Range 36 East to the Southwest corner of Section 7, Township 51 South Range 37 East; thence, Easterly along the south line of Sections 7, 8, 9, 10, 11 and 12, Township 51 South, Range 37 East, and continue Easterly along the south line of Sections 7, 8, 9, 10, 11 and 12, Township 51 South, Range 38 East, and continue Westerly along the south line of Sections 7, 8, 9, 10, 11 and 12, Township 51 South, Range 39 East, and continue Easterly along the south line of Sections 7, 8, 9, 10, 11 and 12, Township 51 South, Range 40 East, and continue Easterly along the south line of Sections 7, 8, and 9, Township 51 South, Range 41 East to the southeast corner of said Section 9; thence Northerly along the east line of Sections 9 and 4, Township 51 South, Range 41 East, and continue Northerly along the east line of Sections 33 and 28, Township 50 South, Range 41 East, to the point of beginning.

Sub-district No. 5 shall include the following described property:

Beginning at the northeast corner of Section 16, Township 51 South, Range 41 East, Broward County, Florida, run Westerly along the north line of Sections 16, 17 and 18, Township 51 South, Range 41 East, and continue Westerly along the north line of Sections 13, 14, 15, 16, 17 and 18, Township 51 South, Range 40

East, and continue Westerly along the north line of Sections 13, 14, 15, 16, 17 and 18, Township 51 South, Range 39 East, and continue Westerly along the north line of Sections 13, 14, 15, 16, 17 and 18, Township 51 South, Range 37 East, to the east line of Range 36 East to the northeast corner of Section 24, Township 51 South, Range 36 East; thence, Westerly along the north line of Sections 24, 23, 22, 21, 20 and 19, Township 51 South, Range 36 East, and continue Westerly along the north line of Sections 24, 23, 22, 21, 20 and 19, Township 51 South, Range 35 East, to the west line of Range 35 East, being the western limits of Broward County; thence, Southerly along the west line of Range 35 to the south line of Township 51 South; thence Easterly along the south line of said Township 51 to the west line of Range 37 East; thence, Southerly along the west line of Range 37 to the southwest corner of Section 31, Township 51 South, Range 37 East; thence Easterly along the south line of Township 51 to the east line of Range 40 East; thence northerly along the east line of said Range 40 to the southwest corner of Section 30, Township 51 South, Range 41 East; thence, Easterly along the south line of Sections 30, 29 and 28 to the southeast corner of said Section 28; thence, Northerly along the east line of Section 28, 21 and 16 to the point of beginning.

Sub-district No. 6 and 7 shall both include all of the area within sub-district Nos. 1, 2, 3, 4 and 5.

Section 3.

Amended by
Ch. 63-1180, Laws of Fla. (1963),

and further amended by
Ch. 69-910, Laws of Fla. (1969),

and further amended by
Ch. 70-618, Laws of Fla. (1970),

and further amended by
Ch. 79-431, Laws of Fla. (1979),

and further amended by
Ch. 82-269, Laws of Fla. (1982).

The governing body of the South Broward Hospital District shall consist of seven (7) commissioners who shall serve without compensation. All commissioners shall be qualified electors residing in Broward County for more than one (1) year and in said subdistricts for more than ninety (90) days prior to the appointment; one (1) of whom shall reside in subdistrict No. 1, one (1) of whom shall reside in subdistrict No. 2, one (1) of whom shall reside in subdistrict No. 3, one (1) of whom shall reside in subdistrict No. 4, one (1) of whom shall reside in subdistrict No. 5, and two (2) of whom shall reside in subdistricts 6 and 7, provided however that until June 1, 1985, appointees from said subdistricts 6 and 7 shall only be made from the portion of said subdistricts 6 and 7 which lie in subdistricts 1, 2 and 3, and they shall be known and designated as the "Board of Commissioners of the South Broward Hospital District." It is not a requirement for office that any commissioner be a freeholder. The appointment of commissioners for subdistricts No. 2 and 4 in 1964 shall be for a term ending June 30, 1968, and the appointment of a commissioner for subdistrict No. 3 in 1966 shall be for a term ending June 30, 1969, and the appointment of a commissioner for subdistrict No. 5 in 1966 shall be for a term ending June 30, 1970, and the appointment for a commissioner for subdistrict No 1 in 1966 shall be for a term ending June 30, 1971, and, the appointment of a commissioner for subdistrict No. 6 in 1969 shall be for a term ending June 30, 1973, and the appointment of a commissioner for subdistrict No. 7 in 1969 shall be for a term ending June 30, 1971, or until their

successors are appointed for a term of four (4) years. The Governor of the State shall have the power to remove any member of said Board of Commissioners for cause, and shall fill any vacancies that may at any time occur therein. Each member shall give bond to the governor for the faithful performance of his or her duties in the sum of Five Thousand Dollars (\$5,000.00), with a surety company qualified to do business in the state, as surety, which bond shall be approved and kept by the clerk of the Circuit Court of Broward County. The premiums on said bond shall be paid as part of the expenses of said district. The respective terms of the commissioners in office at the time this law shall take effect shall continue for their term of office and shall thereafter continue until their successors are appointed and qualified as herein provided.

Section 4.

Amended by
Ch. 76-339, Laws of Fla. (1976),

and further amended by
Ch. 80-459, Laws of Fla. (1980),

and further amended by
Ch. 80-466, Laws of Fla. (1980),

and further amended by
Ch. 84-400, Laws of Fla. (1984).

- a) The Board of Commissioners of the South Broward Hospital District shall have all of the governmental, corporate, and proprietary powers:
 - 1) To enable the Board of Commissioners to provide any and all types of health care facilities, equipment, and services and any and all types of facilities, equipment, and services related or incidental thereto, directly or indirectly, whether alone, or in conjunction with other public or private persons, not for profit or for profit;

- 2) To sponsor, with any form of assistance not expressly prohibited by the State Constitution, the formation, organization, capitalization, and operation of public or private persons, not for profit or for profit, providing or intending to provide any types of health facilities, equipment, and services or any facilities, equipment, or services related or incidental thereto, and to provide, from assets and resources then owned by the district, or assets and resources specifically acquired for the purpose, goods, and services to such persons by sale, lease, contract, grant, gift, or otherwise upon such terms and conditions as the Board of Commissioners may determine in its sole discretion are in the public interest;
- 3) To restructure and reorganize all or part of the assets, liabilities, and operations of the district into such public or private persons, not for profit or for profit, as the Board of Commissioners may in its sole discretion determine are in the public interest and are not expressly prohibited by the State Constitution, whether for the purpose of having such persons conduct operations previously conducted by the district or having such persons conduct operations which the district has the power to conduct directly but has not undertaken directly;
- 4) Without limiting the generality of the foregoing, to exercise all of the powers of a corporation organized pursuant to chapter 607, Florida Statutes;
- 5) To establish and maintain, or to sponsor the establishment and maintenance, directly or indirectly, alone or in conjunction with other public or private persons, not for profit or for profit, with any form of assistance from the district not expressly prohibited by the State Constitution, health maintenance organizations or services, preferred provider organizations or

services, programs for cost containment, health insurance, or indemnity benefit systems, service benefit systems, and any other organization or system that provides, or arranges for the provision of, health care services or otherwise pays for, or protects residents and non-residents of the district against, the costs of health care services;

- 6) To sue and be sued under the name of South Broward Hospital District;
- 7) To contract and be contracted with;
- 8) To adopt and use a common seal, and to alter the same at pleasure;
- 9) To acquire, purchase, hold, lease, and convey such real and personal property, as the board deems proper or expedient;
- 10) To appoint and employ a superintendent or administrator and such other agents and employees as the board deems advisable; and
- 11) To borrow money and to issue the notes, bonds, and other evidences of indebtedness of the district therefore to carry out the provisions of this act in the manner hereinafter provided.

- b) The provisions of this act shall be so construed as to secure and extend to the Board of Commissioners all powers, whether governmental, corporate, or proprietary, not expressly prohibited by the State Constitution and to remove any limitations judicially imposed or otherwise. No person whom the district sponsors, or with whom the district contracts, or to whom the district sponsors, or with personal property, goods, or services, by contract, lease, sales, grant, gift, or otherwise, shall be deemed an agency of the district. It is hereby found and declared to be a public purpose and necessity for the preservation of the public health and for public use and for the welfare of the district and the residents thereof that the Board of Commissioners of the district have the broadest possible power

to provide and structure health facilities and services, and facilities and services incidental or related thereto, in order to meet all types of health needs, and pursuant thereto to have the broadest flexibility to involve public and private persons, for profit and not for profit, in the establishment, maintenance and operation of such facilities and services so as to provide the Board of Commissioners with the greatest flexibility permitted by the State Constitution to establish, maintain, and operate, alone or in conjunction with other public or private persons, not for profit and for profit, such health facilities and services, and facilities and services related or incidental thereto, which in the sole judgment of the Board of Commissioners are responsive to the health needs of the district and are in the public interest.

Section 5.

Amended by
Ch. 70-618, Laws of Fla. (1970).

Four (4) of said commissioners shall constitute a quorum, and a vote of at least three (3) of the commissioners shall be necessary to the transaction of any business of the district. The commissioners 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, records and books of account shall at all reasonable times be open and subject to the inspection of inhabitants of the district; and any person desiring to do so may make or procure a copy of the minutes, records or books of account, or such portions thereof as he may desire.

Section 6.

Amended by
Ch. 61-1935, Laws of Fla. (1961),

and further amended by
Ch. 80-469, Laws of Fla. (1980),

and further amended by
Ch. 84-400, Laws of Fla. (1984).

Without in any way limiting the powers set forth in Section 4, the Board of Commissioners is hereby authorized and empowered to establish, construct, operate, and maintain such hospital or hospitals and other health facilities as in their opinion are necessary for the use of the people of the district, and to establish, construct, operate and maintain such facilities for the care of such persons requiring limited medical care or treatment as in their opinion is necessary for the people of the district. The hospital or hospitals, other health facilities, and facilities for limited care and treatment shall be established, constructed, operated and maintained by the Board of Commissioners for the preservation of the public health, for the public good, and for the use of the public of the district; and maintenance of the hospital or hospitals, other health facilities, and facilities for limited care and treatment within the district is hereby found and declared to be a public purpose and necessary for the preservation of the public health, for public use, and for the welfare of the district and inhabitants thereof. The location and legal form and structure of such hospital or hospitals, other health facilities, and facilities for limited care and treatment shall be determined by the Board.

Section 7.

Amended by
Ch. 74-436, Laws of Fla. (1974).

The Board of Commissioners is hereby authorized and empowered at any time in their discretion to establish and maintain, in connection with such hospital, and as a part thereof, or in connection with any other educational or vocational institution in the State of Florida, a school or training program for nurses, paramedics, medical technicians and

other technical employees in the hospital, medical or related field. Said Board of Commissioners are authorized and empowered to set up all rules and regulations necessary for the operation of such training program whether it be in a school, hospital, or within departments of the hospital, and they are further authorized to make all necessary expenditures in connection therewith, including payments and other assistance to other educational or vocational institutions in the State of Florida having such a curriculum or training program.

In the event the schools are established within the hospital, the hospital may, upon completion of the prescribed course of training, give to such nurses, paramedics, medical or related fields, who have satisfactorily completed the said course, a diploma or certificate of training. Similarly, the Board is empowered to setup such cooperative doctors' residence programs with any institution of higher learning in the State of Florida.

Section 8.

The Board shall have the power of eminent domain, and may thereby condemn and acquire any real or personal property within the territorial limits of this district, which the Board may deem necessary for the use of said district. Such power of condemnation shall be exercised in the same manner as is now provided by the general law for the exercise of the power of eminent domain by cities and towns of the State of Florida.

Section 9.

Amended by
Ch. 59-1125, Laws of Fla. (1959),

and further amended by
Ch. 65-1296, Laws of Fla. (1965),

and further amended by
Ch. 70-618, Laws of Fla. (1970),

and further amended by
Ch. 71-577, Laws of Fla. (1971),

and further amended by
Ch. 76-337, Laws of Fla. (1976),

and further amended by
Ch. 80-467, Laws of Fla. (1980),

and further amended by
Ch. 83-378, Laws of Fla. (1983).

- (a) The term “anticipation time warrants” means bond anticipation notes, grant anticipation notes, revenue anticipation notes, and tax anticipation notes; such anticipation time warrants may be issued in the form of commercial paper.
- (b) The district is hereby authorized and empowered, in order to provide facilities, including real and personal property, and to carry out, exercise, and perform its powers and duties and, for any other lawful purpose, to borrow money from time to time, as the Board determines is in the best interest of the district, and to issue and sell the anticipation time warrants of the district, and to refund the same by issuing the refunding anticipation time warrants of the district, all upon such terms, having such maturities, form, and terms, and bearing such rate or rates of interest, including variable rates, as may be determined by the Board or, if issued in the form of commercial paper, as may be determined by the chairman, vice-chairman, or the secretary-treasurer within guidelines and limits determined by the Board, as hereinafter provided in this section.
- (c) The district is hereby authorized to borrow money and to issue bond anticipation notes in anticipation of the issuance of bonds under s. 10 and in anticipation of the issuance of revenue certificates under s. 11, all as provided in s. 215431, Florida Statutes, as the said section may from time to time hereafter be amended, to expend the proceeds thereof for the purposes for which such bonds or revenue certificates are to be issued and to pledge, by resolution or contract, the proceeds

to be derived from the sale of such bonds or revenue certificates and other legally available funds of the district for the payment of the principal thereof, premium if any, and interest thereon.

- (d) The district is hereby authorized to borrow money and to issue grant anticipation notes having a maturity of not more than 5 years in anticipation of the receipt of any federal, state, private, or other grant, to expend the proceeds thereof for the purposes for which such grant has been made, and to pledge, by resolution or contract, the moneys to be received from such grant and other legally available funds of the district for the payment of the principal thereof, premium, if any, and interest thereon.
- (e) The district is hereby authorized to borrow money and to issue revenue anticipation notes having a maturity of not more than 5 years in anticipation of the receipt of revenues, other than ad valorem tax revenues, to expend the proceeds thereof for the purposes set forth in s. 13 or for any other lawful purpose, and to pledge, by resolution or contract, revenues of the district, other than ad valorem tax revenues, for the payment of the principal thereof, premium, if any, and interest thereon.
- (f) The district is hereby authorized to borrow money and to issue tax anticipation notes having a maturity of not more than 5 years and to levy and appropriate and to pledge, by resolution or contract, ad valorem taxes and other legally available funds of the district in payment of the principal thereof, premium, if any, and interest thereon, provided, however, that no tax anticipation notes having a maturity of more than 12 months shall be issued unless first approved by an election as required by s. 12, Art. VII of the State.
- (g) The district is hereby authorized to issue the notes described in subsections (c), (d), (e), and (f) of this section in the form of commercial paper, and, if issued in

such form, the resolution authorizing the issuance thereof may provide for the renewal, refunding, or rollover thereof from time to time so long as no such renewal, refunding, or rollover note shall mature more than 5 years after the date of issue of the first such note issued pursuant to such resolution, provided, however, that in the case of tax anticipation notes issued without an election pursuant to subsection (f) of this section no such renewal, refunding, or rollover note shall have a final maturity of more than 12 months from date of issue of the first such tax anticipation note issued pursuant to such resolution. The resolution authorizing the issuance of such notes in the form of commercial paper may set forth guidelines and limits pertaining to the maximum aggregate principal amount of such notes which may be outstanding at any one time, the longest maturity any such note may bear, the form of such notes, the terms (including redemption provisions, the maximum redemption premium which may be permitted, schedules for the amortization of principal and interest which may be permitted, and such other provisions as the Board may determine), and the maximum rate of interest any such obligations may bear (which may be specified to be the maximum rate permitted by the laws of the State of Florida on the date such notes or renewal, refunding, or rollover notes are issued) and may authorize the chairman, the vice-chairman, or the secretary-treasurer or any one or more of them, from time to time, to determine, within the aforesaid guidelines and limits, the date or dates on which said notes shall be issued, the aggregate principal amount of notes to be issued at such time, the maturity date or dates of such notes, the form and terms (including provisions for redemption thereof, the amount of any redemption premium, the schedule for the amortization of principal and payment of interest, and other provisions as the Board shall have

authorized), the rate or rates of interest payable thereon (which may be a variable rate) and to sell, issue, execute, and deliver the same pursuant to such authorization. Any resolution authorizing a negotiated sale of notes in the form of commercial paper to any class of purchaser may likewise authorize the negotiated sale of renewal, refunding or rollover notes to such class of purchaser and may contain such other provisions as the Board may authorize.

Section 10.

Amended by
Ch. 59-1128, Laws of Fla. (1959),

and further amended by
Ch. 67-1164, Laws of Fla. (1967),

and further amended by
Ch. 69-910, Laws of Fla. (1969),

and further amended by
Ch. 80-469, Laws of Fla. (1980).

The Board of Commissioners of the South Broward Hospital District is hereby authorized to issue bonds of said district of such form, denomination, and bearing such rate of interest not to exceed 9½ percent per annum, becoming due not more than 40 years from the date of issuance, in an amount not to exceed \$50 million as the total bonded indebtedness of said district (excluding from such total bonded indebtedness such obligations of said district that are payable from monies other than taxation raised annually within said district as provided in Section 11), for the purpose of raising funds to establish, construct, acquire, add to, operate and maintain such hospital or hospitals or other related medical facilities as in the Board's opinion are necessary in said district; the said Board of Commissioners shall have the power to refund any and all previous issues of bonds for any and all lawful purposes in such manner as said district determines to be in its best interests.

Section 11.

Amended by
Ch. 80-469, Laws of Fla. (1980).

Prior to the issuance of such bonds, provided in Section 10, said Board of Commissioners shall, by resolution, determine the amount which in their opinion will be necessary to be raised annually by taxation for an interest and sinking fund with which to pay the interest and principal of said bonds; and the said Board is hereby authorized, empowered and required to provide for the levy and collection annually of a sufficient tax upon all the taxable property in said district, not exempt by law, to pay such interest, and with which to provide and maintain a sinking fund for the payment of the principal of said bonds.

Section 12.

Amended by
Ch. 69-910, Laws of Fla. (1969),

and further amended by
Ch. 80-469, Laws of Fla. (1980).

All bonds issued by South Broward Hospital District, except refunding bonds, revenue certificates, and anticipation time warrants, shall be issued only after the same shall have been approved at a bond election in the manner provided for by the Constitution of the State of Florida.

Section 12-A

Added by
Ch. 75-349, Laws of Fla. (1975),

and amended by
Ch. 82-269, Laws of Fla. (1982).

The Board of Commissioners is hereby authorized and empowered to compromise and settle any accounts receivable or other claims on money due and owing to the district according to such terms and conditions as the Board of Commissioners, in its discretion,

may determine. The factors, which may be considered by the Board of Commissioners in any such compromise, are the ability of the debtors to pay and the probabilities of collection in full. The Board of Commissioners is further authorized and empowered to sell, assign, or convey to any person all of the right, title, and interest of the district in any account receivable, note receivable, or judgment owned by the district by payment for such amount, note, or judgment of whatsoever value as the Board of Commissioners, in its discretion, may determine. The Board of Commissioners is further authorized and empowered to subordinate its interest in any mortgage or judgment lien to the interest of any third parties, according to such terms and conditions as the Board of Commissioners, in its discretion, may determine.

Section 13.

Amended by
Ch. 69-910, Laws of Fla. (1969),

and further amended by
Ch. 80-469, Laws of Fla. (1980).

The Board of Commissioners is hereby authorized to provide by resolution at one time or from time to time for the issuance of revenue certificates of the hospital district for the purpose of paying all or a part of the cost of acquisition, construction, planning, repairing, extensions to, additions, equipping, furnishing and reconstruction of any hospital or hospitals of the district. The certificates of each issuance shall be dated, shall mature at such time or times not exceeding 40 years from their date or dates, shall be in such denominations, shall bear interest at such rate or rates as may be determined by the Board of Commissioners and may be made redeemable before maturity at the option of the Board of Commissioners at such price or prices and under such terms and conditions as may be fixed by the Board of Commissioners prior to the issuance of the certificates. The Board of Commissioners shall determine the form of the certificates,

including any interest coupons to be attached thereto, and the manner of execution of the certificates and coupons, and shall fix the denomination or denominations of the certificates and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the state. In case any officer whose signature or a facsimile of whose signature shall appear on any certificates or coupons shall cease to be such officer before the delivery of such certificates, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All certificates issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the law merchant and the laws of the state. The certificates may be issued in coupon or in registered form, or both, as the Board of Commissioners may determine, and provisions may be made for the registration of any coupon certificates as to principal alone and also as to both principal and interest, and for the reconversion into coupon certificates of any certificates registered as to both principal and interest. The issuance of such certificates shall not be subject to any limitations of conditions contained in any other law or considered as part of the total bonded indebtedness of the district as provided in Section 10, and the Board of Commissioners may sell certificates in such manner and for such price as it may determine to be for the best interest of the Board of Commissioners, but no such certificates issued hereunder shall be sold for less than 95 percent of the par value and accrued interest. Prior to the preparation of definitive certificates, the Board of Commissioners may, under like restrictions, issue interim receipts or temporary certificates with or without coupons, exchangeable for definitive certificates when such certificates have been executed and are available for delivery. The Board of

Commissioners may also provide for the replacement of any certificates, which shall be mutilated or be destroyed or lost. The Board of Commissioners of the South Broward Hospital District shall have the authority to provide by resolution for the issuance of refunding certificates under such terms and conditions as the Board of Commissioners shall determine to be in the best interests of the district.

Section 14.

Amended by
Ch. 69-910, Laws of Fla. (1969).

As far as practicable, where not inconsistent with the provisions of this act, procedure provided in the general laws of Florida for elections shall govern.

Section 15.

Amended by
Ch. 80-469, Laws of Fla. (1980).

All bonds issued under the provisions of Section 10 shall be in the denomination of \$100 or \$1,000, or some multiple thereof, shall bear interest payable annually or semiannually, and both principal and interest shall be payable at such place or places as the governing authority may determine. The form of such bonds shall be fixed by the resolution of the Board of Commissioners and the said bonds shall be signed by the Chairman of said Board and countersigned by the Secretary of said Board under the seal of the district. The coupons, if any, shall be executed by the facsimile signatures of said officers. The delivery, at any subsequent date, of any bond and coupon so executed shall be valid, although before the date of delivery the person signing such bonds or coupons shall cease to hold office.

Section 16.

Amended by
Ch. 80-469, Laws of Fla. (1980).

Bonds issued pursuant to the provisions of Section 10 may be either registered or coupon bonds. Coupon bonds may be registered as to principal in the holder's name on the books of the hospital district, the registration being noted upon the bonds, after which no transfer shall be valid unless made on such hospital district's books by the registered holder and similarly noted on the bonds. Bonds registered as to principal may be discharged from registration by being transferred to bearer, after which they shall be transferable by delivery, but may be again registered as to principal as before. The registration of the bonds as to principal shall not restrain the negotiability of the coupons by delivery merely.

Section 17.

Amended by
Ch. 80-469, Laws of Fla. (1980).

Before any bonds of the South Broward Hospital District are issued pursuant to the provisions of Section 10, the Board of Commissioners shall investigate and determine the legality of the proceedings. The resolution authorizing the bonds may direct that they shall contain the following recital:

"It is certified that this bond is authorized by and is issued
in conformity with the requirements of the Constitution and
Statutes of the State of Florida."

Such recital shall be an authorized declaration by the governing body of the district and shall import that there is constitutional and statutory authority for incurring the debts and

issuing the bonds; that all proceedings therefore are regular; that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bond have existed, happened and been performed in due time, form and manner, as required by law; that the amount of the bond, together with all other indebtedness does not exceed any limit or limits prescribed by the Constitution and statutes of this state. If any bonds be issued containing said recital, it shall be conclusively presumed that said recital, construed according to the import hereby declared, is true, and the district shall not be permitted to question the validity or legality of the obligation in any court in any action or proceeding.

Section 18.

Amended by
Ch. 80-469, Laws of Fla, (1980).

In issuing bonds under the provisions of Section 10 or revenue certificates under the provisions of Section 13, it shall be lawful for the Board of Commissioners to include more than one improvement or hospital purpose in any such issue of bonds or revenue certificates.

Section 19.

Amended by
Ch. 69-910, Laws of Fla. (1969),

and further amended by
Ch. 80-469, Laws of Fla. (1980).

All bonds issued under the provisions of Section 10 shall be advertised for sale on sealed bids, which advertisement shall be published one time, the publication to be made at least 10 days preceding the date fixed for the reception of bids, in a newspaper published in the hospital district. The notice of sale shall also be published one time at least 10 days preceding the date fixed for the reception of bids, in a financial paper or

journal of general circulation in the City of New York, New York. The Board of Commissioners may reject any and all bids. If the bonds be not sold pursuant to such advertisements, they may be sold by the Board of Commissioners at private sale within 60 days after the date advertised for the reception of sealed bids, but no such private sale shall be made at a price less than the highest bid which shall have been received. If not sold, said bonds shall be readvertised in the manner herein prescribed, but no such bonds shall be sold for less than 95 percent of the par value and accrued interest.

Section 20.

Amended by
Ch. 80-469, Laws of Fla. (1980).

No resolution or proceeding in respect to the issuance of said bonds or certificate hereunder shall be necessary, except such as is required by this act. No publication or any resolution or proceeding relating to the issuance of the said bonds or certificates shall be required except such as required by this act. Any publication prescribed hereby may be made in any newspaper conforming to the terms of this act, without regard to the designation thereof as the official organ of the district. Bonds issued hereunder have all the qualities of negotiable paper under the law merchant, shall not be invalid for any irregularity or defect in the proceedings for the issue and sale thereof, and shall be incontestable in the hands of bona fide purchasers or holders thereof for value.

Section 21.

Amended by
Ch. 80-469, Laws of Fla. (1980).

The Board of Commissioners of the South Broward Hospital District shall have the power to provide by resolution for the issuance of refunding bonds to refund principal and interest of an existing bond indebtedness, issued under the provisions of Section 10, for the payment of which the credit of the hospital district is pledged, and such bonds

may be issued at or prior to maturity of the bonds to be refunded. Such resolution may be adopted at a regular or special meeting, and at the same meeting at which it is introduced, by a majority of all of the members of the commission then in office. It is determined and declared as a matter of legislative intent that no election to authorize the issuance of refunding bonds shall be necessary, except in cases where an election may be required by the Constitution of the State of Florida. In all cases where it is not necessary under the Constitution to hold an election on the issuance of such refunding bonds, such resolution shall take effect immediately upon the adoption thereof. No other proceedings or procedures of any character whatever shall be required for the issuance of such bonds by the said district.

Section 22.

Amended by
Ch. 80-469, Laws of Fla. (1980).

The resolution of the Board of Commissioners authorizing the issuance of the refunding bonds may provide that the refunding bonds may be issued in one or more series; may bear such date, may mature at such time, not exceeding 40 years from their respective dates, may bear interest at such rate, not exceeding the maximum rate of interest borne by the bonds refinanced thereby; may be in such denomination; may be in such form, either coupon or registered; may carry such registration and conversion privileges; may be executed in such manner; may be payable in such medium of payment, at such place; may be subject to such terms of redemption, with or without a premium; may be declared or become due before the maturity date thereof; may provide for the replacement of mutilated, destroyed, stolen, or lost bonds; may be authenticated in such manner and upon compliance with such conditions; and may contain such other terms and covenants, as may be desired. Notwithstanding the form or tenor thereof, and in the

absence of an express recital on the face thereof that the bond is nonnegotiable, all refunding bonds shall at all times be, and shall be treated as, negotiable instruments for all purposes.

Section 23.

Amended by
Ch. 80-469, Laws of Fla. (1980).

Refunding bonds bearing the signature of officers of the district in office on the date of the signing thereof shall be valid and binding obligations of the district for all purposes, notwithstanding that before the delivery thereof any or all of the persons whose signatures appear thereon shall have ceased to be officers of the district. Any resolution authorizing refunding bonds may provide that any such refunding bonds issued pursuant to the Article may contain such a recital, and any refunding bond issued under authority of any such resolution shall be conclusively deemed to be valid and to have been issued in conformity with the provisions of this Article. The authority of the district to issue obligations under this act may be determined and obligations to be issued under this act may be validated as provided by law.

Section 24.

Amended by
Ch. 80-469, Laws of Fla. (1980).

Refunding bonds may be sold or exchanged, as follows:

- a) In installments of different times, or an entire issue or series may be sold or exchanged at one time. Any issue or series of refunding bonds may be exchanged in part or sold in parts in installments at different times or at one time. The refunding bonds may be sold or exchanged at any time, on, before, or after the maturity of any of the outstanding bonds of the district. The refunding bonds may be exchanged for a like or greater principal amount of such bonds of the district,

except that the principal amount of the refunding bonds may exceed the principal amount of such outstanding bonds to the extent necessary or advisable, in the discretion of the governing body, to fund interest in arrears or about to become due. The holder of such outstanding bonds need not pay accrued interest on the refunding bonds to be delivered in exchange therefore if and to the extent that interest is due or accrued and unpaid on such outstanding bonds to be surrendered.

- b) If the Board of Commissioners determine to exchange any refunding bonds, such refunding bonds may be exchanged privately for and in payment and discharge of any of the outstanding bonds of the district. The refunding bonds may be exchanged for a like or greater principal amount of such bonds of the district, except that the principal amount of the refunding bonds may exceed the principal amount of such outstanding bonds to the extent necessary or advisable, in the discretion of the governing body, to fund interest in arrears or about to become due. The holder of such outstanding bonds need not pay accrued interest on the refunding bonds to be delivered in exchange thereof if and to the extent that interest is due or accrued and unpaid on such outstanding bonds to be surrendered.
- c) If the Board of Commissioners determines to sell any refunding bonds, such refunding bonds shall be sold at not less than ninety-five percent (95%) of par at public or private sale, in such manner and upon such terms as the Board of Commissioners shall deem best for the interest of the district.

Section 25.

The funds of said district shall be paid out only upon warrant signed by the chairman of the Board, and having thereto affixed the corporate seal of the district; and no warrant

shall be drawn or issued against funds of said district except for a purpose authorized by this act, and no such warrant against funds of said district shall be drawn or issued until after the account or expenditure for which the same is to be given in payment has been ordered and approved by the Board of Commissioners.

Section 26.

Amended by'
Ch. 59-1126, Laws of Fla. (1959),

and further amended by
Ch. 81-351, Laws of Fla. (1981).

The Board of Commissioners of South Broward Hospital District is hereby authorized, empowered and directed annually to levy upon real and personal taxable property of said district, not exempt by law, a sufficient tax necessary for the purposes and needs of the said district incurred in the exercise of the powers and purposes herein granted, the rate of taxation per annum shall not exceed 2.5 mils on the dollar of the valuation of the property within the district for tax purposes, providing, however, that the 2.5 mil limitation herein shall apply only for the purposes and needs of the district and not for the purposes of debt service requirements for bonds that may be issued pursuant to Section 10 of this act.

Section 27.

That the levy by said Board of the taxes authorized by any provision of this act shall be by resolution of said Board duly entered upon the minutes of the Board. Certified copies of such resolution executed in the name of the Board by its chairman, under its corporate seal, shall be made and delivered to the Board of County Commissioners of Broward County, Florida, and to the Comptroller of the State of Florida, not later than the 15th day of June, of each and every year. It shall be the duty of the County Commissioners of Broward County to order and require that the County Tax Assessor of

said county to assess, and the County Tax Collector of said county to collect the amount of taxes so assessed or levied by the Board of Commissioners of said South Broward Hospital District upon the taxable property in said district, not exempt by law, at the rate of taxation adopted by said Board of Commissioners of said district for said year and include in the warrant of the Tax Assessor and attach to the assessment roll of taxes for said year and included in the warrant of the tax assessor and attach to the assessment roll of taxes for said county each year. The tax collector shall collect such tax so levied by said Board in the same manner as other taxes are collected, and shall pay the same over to the Board of Commissioners of South Broward Hospital District within the time and in the manner prescribed by law for the payment by the tax collector of county taxes to the county depository. It shall be the duty of the comptroller of the State of Florida to assess and levy on all the railroad lines and railroad property situated or located in said district, including as well all telephone lines. The amount of each said levy of each said county or state taxes and the said taxes shall be assessed by the same officer respectfully as are county taxes upon such property, and such taxes shall be remitted by the collecting officer to the Board of Commissioners of South Broward Hospital District. All such taxes shall be held by said Board of Commissioners and paid out by them as provided in this act. The Board is authorized to pay necessary expenses to the aforementioned officers for the assessment and collection of taxes on a reasonable fee basis.

Section 28.

The Board is authorized to pay from the funds of the district all expenses of the organization of said Board and all expenses necessarily incurred with the formation of said district and all other reasonable and necessary expenses, including the fees and expenses of an attorney in the transaction of the business of the district, and in carrying

out and accomplishing the purposes of the act. This section, however, shall not be construed to remit or instruct any of the powers vested in said Board of Commissioners by any other section or provision of this act.

Section 29.

At least once in each year the Board of Commissioners shall publish once in some newspaper published in said district, a complete detailed statement of all monies received and disbursed by them since the creation of the district as to the first published statement and since the last published statement as to any other year. Such statements shall also show the several sources from which said funds were received and shall show the balance on hand at the time of the published statement. It shall show a complete statement of the condition of the district.

Section 30.

Each hospital or clinic established under this act shall be for the use and benefit of the residents of this district. Such residents shall be admitted to such hospital or clinic and be entitled to hospitalization, subject, however, to the rules and regulations prescribed by the Board of Commissioners, which rules and regulations are effective as of the date of admission of a patient or patients to said hospital or clinic. Such hospital or clinic may care for and treat without charge to patients who are found by the Board of Commissioners to be indigent. Such board may collect from patients financially able, such charges as the Board of Commissioners may from time to time establish. The Board of Commissioners may exclude from treatment and care any person having a communicable or contagious disease, where such disease may be a detriment to the best interests of such hospital or clinic or a source of contagion or infection to the patient in its care, unless such hospital has a separate building or ward for the special treatment of such patients, and can properly and with safety to the other patients retain such

communicable or contagious case in such separate ward or building. Said Board of Commissioners may extend the privileges and use of such hospital or clinic to non-residents of such district upon such terms and conditions as the said Board may from time to time by its rules and regulations provide. Provided, however, that the residents of the district wherein such hospital or clinic is located, shall have first claim to admission.

Section 31.

Realizing that the factors other than professional must enter into the qualification of those who practice medicine and surgery, the Board of Commissioners of said South Broward Hospital District are hereby authorized and empowered to set up rules, regulations and bylaws for the operation of the hospital, and the hospital staff; the Board of Commissioners are authorized to give, grant or revoke licenses and privileges of staff members so that the welfare and health of patients and the best interests of the hospital may at all times be best served. The Board of Commissioners of the said district are further authorized and empowered to set up rules and regulations for the control of all professional and unprofessional employees of the hospital, which terms shall include nurses on general duty or on private duty attending patients, and all parties in the hospital either as employees or in any manner in attendance of patients.

Section 32.

It is intentioned that the provisions of the act shall be liberally construed for accomplishing the work authorized and provided for or intended to be provided for in this act, and where strict construction would result in the defeat of the accomplishment of any part of the work authorized by this act, and a liberal construction would permit or assist in the accomplishment, thereof, the liberal construction shall be chosen.

Section 33.

Repealed by Ch. 72-494, Laws of Fla. (1972).

Section 34.

The Board of County Commissioners of Broward County, Florida, are hereby authorized, empowered, and required upon the petition of not less than twenty-five (25) qualified electors owning real property in the territory covered by said South Broward Hospital District, to call and hold an election within said district after giving not less than thirty (30) days notice of the time and place within such district where such an election will be held. All qualified electors owning real property in the territory covered by said South Broward Hospital District shall be entitled to vote at said election, and the result of said election shall be reported by the manager thereof to the Board of County Commissioners of Broward County, who shall canvas the returns and declare the results thereof. If a majority of the qualified electors voting at the said election shall vote in favor of the approval and ratification of this act, then this act shall immediately become effective. The sole questions to be voted on at said election shall be the ratification or rejection of all of the terms and provisions of this act.

Section 35.

Any clause or section of this act, which for any reason may be held or declared invalid, may be eliminated and the remaining portion or portions thereof shall be and remain in full force and be valid, as if such invalid clause or section had not been incorporated therein.

Section 36.

All laws or parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 37.

This act shall be in full force and effect upon its becoming a law, subject as aforesaid.

Section 38.

Added by
Ch. 74-450, Laws of Fla. (1974),

and amended by
Ch. 75-346, Laws of Fla. (1975).

Notwithstanding the provisions of Florida Statutes 218.33, the fiscal year of South Broward Hospital District shall commence May 1 and end on April 30 of each calendar year.

Section 39.

Added by
Ch. 83-378, Laws of Fla. (1983).

- a) All provisions of chapter 24415, Laws of Florida, 1947, as amended, which pertain to the rate of interest which may be paid on bonds, as defined in s. 215.84, Florida Statutes, of the district or the price at which bonds may be sold are hereby declared to be superseded and repealed by s. 215.84, Florida Statutes, and bonds, as defined in s. 215.84, Florida Statutes of the district may bear such rate or rates of interest, including a variable rate of interest, and may be sold at par or at such premium or discount, as the Board shall determine, as shall not, shall not, taking into account the stated interest rate and any discount or premium, cause the average net interest cost rate to exceed the maximum average net interest cost rate permitted by s. 215.84, Florida Statutes, or any interest rate, or average net interest cost rate, per annum permitted by general law amending or superseding s. 215.84, Florida Statutes.
- b) All provisions of chapter 24415, Laws of Florida, 1947, as amended, which pertain to the public or private sale of general obligation bonds or revenue bonds,

as defined in s. 218.385, Florida Statutes, of the district are hereby declared to be superseded and repealed by s. 218.385, Florida Statutes, and the procedures for the sale of general obligation bonds or revenue bonds, as defined in s. 218.385, Florida Statutes, of the district shall be governed by s. 218.385, Florida Statutes, or by any general law amending or superseding s. 218.385, Florida Statutes.

Section 40.

Added by
Ch. 90-488, Laws of Fla. (1990).

In addition to any investment authorized by general law, and to the extent created by the Constitution of this state, the Board of Commissioners of the South Broward Hospital District shall be and is hereby authorized and empowered to invest any funds in its control or possession in accordance with an investment policy approved by the Board which mandates prudent investment practices which shall include, among other items, the investment objectives and permitted securities of the policy. Such investment policy shall be designed to maximize the financial return to the fund consistent with the risks incumbent in each investment and shall be designed to preserve the appropriate diversification of the portfolio. Accordingly, the following instruments are authorized for investment:

- 1) In the trust fund known as Local Government Surplus Funds Trust Fund as created and established by section 218.405, Florida Statutes.
- 2) Bankers acceptance which are drawn upon and accepted by a commercial bank which is a member bank of the Federal Reserve System maintaining capital accounts in excess of 7.5 percent of total assets, and which member bank or its holding company carries a credit rating in one

of the two highest alphabetical categories from at least two nationally recognized debt rating agencies.

- 3) Commercial paper of prime quality rated by at least two nationally recognized debt rating agencies in the highest letter and numerical rating of each agency. If not so rated, such prime quality commercial paper may be purchased if secured by a letter of credit provided by a commercial bank, which bank or its holding company carries a credit rating in one of the two highest alphabetical categories from at least two nationally recognized debt rating agencies.
- 4) Interest-bearing bonds, debentures and other such evidence of indebtedness with a fixed maturity of any domestic corporation within the United States which is listed on any one or more of the recognized national stock exchanges in the United States and conforms with the periodic reporting requirements under the Securities Exchange Act of 1934. Such obligations shall either carry ratings in one of the two highest classifications of at least two nationally recognized debt rating agencies or be secured by a letter of credit provided by a commercial bank, which bank or its holding company carries a credit rating in one of the two highest alphabetical categories from at least two nationally recognized debt rating agencies.
- 5) Negotiable direct obligations of, or obligations the principal and interest of which are unconditionally guaranteed by, the United States Government and obligations of the Federal Farm Credit Banks, Federal Home Loan Mortgage Corporations, or Federal Home Loan Bank or its district banks, including Federal Home Loan Mortgage Corporation participation

certificates, or obligations guaranteed by the Government National Mortgage Association, which are purchased and sold under repurchase agreements and reverse repurchase agreements. Repurchase agreements and reverse repurchase agreements may be entered into only with a member bank of the Federal Reserve System or primary dealer in United States Government Securities. Further, any such repurchase agreements and reverse repurchase agreements shall be fully collateralized by the type of securities, which are named in this subsection. Securities purchased or repurchased by the South Broward Hospital District shall be delivered to the South Broward Hospital District or its agent versus payment.

- 6) Purchase of options so as to engage in bona fide hedging activities for the purpose of protecting the asset value of the underlying portfolio. However, the underlying security (that is, the security that must be delivered if a put option or call option contract is exercised) shall be negotiable direct obligations of, or obligations the principal and interest of which are unconditionally guaranteed by, the United States Government and obligations of the Federal Farm Credit Banks, Federal Home Loan Mortgage Corporations, or Federal Home Loan Bank or its district banks, including Federal Home Loan Mortgage Corporation participation certificates, or obligations guaranteed by the Government National Mortgage Association. Further, the options of said underlying securities shall be traded on a securities exchange or board of trade regulated by the Securities Exchange Commission or the Commodity Futures Trading Commission.

Section 41.

Added by
Ch. 99-423, Laws of Fla. (1999)

- a) Notwithstanding the provisions of part III of chapter 163, Florida Statutes, the district is not a “public body” or “taxing authority,” as those terms are used in part III of chapter 163, Florida Statutes.
- b) This section shall not apply with respect to community redevelopment agencies established prior to January 1, 1998.