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1 A bill to be entitled

2 An act relating to Broward County; providing for the
3 creation of a countywide independent special district
4 to provide school security and mental health referral
5 services for students and staff; providing for a
6 governing board; providing for the membership and
7 duties of the board; providing financial requirements
8 and budget procedures; providing for authorization to
9 levy ad valorem taxes not to exceed one-half mill;
10 providing for a ballot question; providing for the
11 electors to retain or dissolve the district; requiring
12 a referendum to be held according to specified
13 election procedures; providing for nonapplicability of
14 certain election procedures; providing effective dates
15 and a contingent effective date.

16
17 WHEREAS, the Legislature has determined that it would serve
18 the public interest to establish an independent special district
19 within Broward County, NOW, THEREFORE,

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Short title.—This act may be cited as the
24 "School Safety Act of Broward County."

25 Section 2. Creation of independent special district.—
26 Effective September 15, 2013, there is created an independent
27 special district to provide school security and mental health
28 referral services throughout Broward County. The boundaries of

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29 the district shall be coterminous with the boundaries of Broward
30 County. The governing body of the district shall be a board of
31 directors known as the Broward School Safety Board.

32 Section 3. Membership.—

33 (1) The Broward School Safety Board shall consist of 11
34 members, appointed as follows:

35 (a) Three members who shall be elected county
36 commissioners appointed by the Board of County Commissioners of
37 Broward County.

38 (b) Three members who shall be elected school board
39 members appointed by the School Board of Broward County.

40 (c) Three members who shall be elected members of
41 municipal governing bodies within Broward County appointed by
42 the Broward League of Cities or any similar successor
43 organization.

44 (d) Two elected members of the Broward Legislative
45 Delegation appointed by the chair of the Broward Legislative
46 Delegation with the assent of the legislative delegation.
47 Members chosen by the Broward Legislative Delegation shall be
48 either state senators or state representatives, 50 percent or
49 more of whose districts lie within Broward County. Members of
50 the board appointed pursuant to this paragraph shall serve ex
51 officio as nonvoting members. They shall participate in all
52 board matters but may not vote on any binding resolution,
53 motion, or matter that relates to the levying of ad valorem
54 taxation or assessment that may be considered by the board.

55 (2) All members appointed shall serve 4 years. If a member
56 of the board resigns, dies, is no longer eligible for office, or

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57 is removed from office, the vacancy thereby created shall, as
58 soon as practicable, be filled by appointment by the appointing
59 authority provided in this section, using the same method as the
60 original appointment. Such appointment shall be for the
61 unexpired term of the person who resigns, dies, is no longer
62 eligible for office, or is removed from office.

63 (3) All initial appointments to the Broward School Safety
64 Board as provided by this section shall be made by November 1,
65 2013.

66 Section 4. Powers and duties.—

67 (1) The Broward School Safety Board shall have the
68 following powers and duties:

69 (a) To provide funding for all necessary school security
70 for all schools operated directly by the School Board of Broward
71 County.

72 (b) To provide mental health referral services for all
73 students and staff within schools operated by the School Board
74 of Broward County.

75 (c) To collect information and statistical data that will
76 be helpful to the board in determining the needs of security and
77 mental health referral services within schools operated by the
78 School Board of Broward County.

79 (d) To consult with other agencies providing security and
80 mental health referral services to schools operated by the
81 School Board of Broward County.

82 (e) To lease or buy such real estate, equipment, and
83 personal property and to construct such buildings as are needed
84 to execute the foregoing powers and duties, provided that no

85 such purchases shall be made or building done except for cash
 86 with funds on hand or secured by funds deposited in financial
 87 institutions. This act shall does not authorize the issuance of
 88 bonds of any nature.

89 (f) To accept donation of moneys or properties from public
 90 and private sources.

91 (g) To sell or dispose of property or properties owned by
 92 the Broward School Safety Board for fair market value.

93 (h) To employ and pay, on a part-time or full-time basis,
 94 personnel needed to execute the forgoing powers and duties.

95 (i) To have all powers necessary and expedient to carry
 96 out the duties and functions provided for within this act. In
 97 regard to the foregoing, powers granted herein shall be
 98 liberally continued in favor of the Broward School Safety Board.

99 (2) The Broward School Safety Board shall:

100 (a) Immediately after the members are appointed, elect a
 101 chair and vice chair from among its members, and elect other
 102 officers as deemed necessary by the board.

103 (b) Immediately after the members are appointed and the
 104 officers are elected, identify and assess the security and
 105 mental health referral needs of all schools served by the School
 106 Board of Broward County. This shall include, but not be limited
 107 to:

108 1. The manner in which the board will seek and provide
 109 funding for needs.

110 2. The strategy which will be used for interagency
 111 coordination to maximize existing human and fiscal resources.

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112 (c) Provide training and orientation to all new members
113 sufficient to allow them to perform their duties.

114 (d) Make and adopt bylaws and rules for the board's
115 guidance, operation, governance, and maintenance, provided such
116 rules are not inconsistent with federal or state laws or county
117 ordinances.

118 (e) Provide an annual written report, to be presented no
119 later than January 1, to the School Board of Broward County, the
120 Board of County Commissioners of Broward County, and the Broward
121 Legislative Delegation. The annual report shall include, but not
122 be limited to:

123 1. Information on the effectiveness of activities,
124 services, and programs offered by the board, including cost
125 effectiveness.

126 2. A detailed anticipated budget for continuation of
127 activities, services, and programs offered by the board and a
128 list of all sources of requested funding, both public and
129 private.

130 3. Procedures for identification of at-risk school
131 children and staff who need additional or continued mental
132 health services and methods for ensuring that the additional or
133 continued services are received.

134 4. A description of the degree to which the board's
135 objectives and activities are consistent with the goals of this
136 section.

137 5. Detailed information on the various programs, services,
138 and activities available to participants and the degree to which

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139 | the programs, services, and activities have been successfully
140 | used.

141 | 6. Information on programs, services, and activities that
142 | should be eliminated; programs, services, and activities that
143 | should be continued; and programs, services, and activities that
144 | should be added to the basic format of the Broward School Safety
145 | Board.

146 | 7. The board shall maintain minutes of each meeting,
147 | including a record of all votes cast, and shall make such
148 | minutes available to any interested person.

149 | (3) Members of the board shall serve without compensation
150 | but shall be entitled to receive reimbursement for per diem and
151 | travel expenses consistent with s. 112.061, Florida Statutes.

152 | (4) All financial records and accounts relating to the
153 | district shall be available for audit by state auditors as they
154 | are assigned from time to time to audit the affairs of the
155 | county officials. If no annual audit of the district is
156 | conducted by the state, the board shall cause an independent
157 | audit of the district to be conducted.

158 | (5) The applicable financial disclosure, noticing, and
159 | reporting requirements of the board shall be those of its
160 | respective elected offices. The applicable financial disclosure,
161 | noticing, and reporting requirements of other officers and
162 | employees shall be the same as corresponding municipal
163 | positions.

164 | Section 5. Fiscal year.—

165 | (1) The fiscal year of the district shall be the same as
166 | that of Broward County.

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167 (2) On or before July 1 of each year, the Broward School
168 Safety Board shall prepare and adopt an annual written budget of
169 its expected income and expenditures, including a contingency
170 fund. The written budget shall be certified and delivered to the
171 School Board of Broward County on or before July 1 of each year.
172 Included in each certified budget shall be an estimate of the
173 millage rate if necessary to be applied to raise the funds
174 budgeted for expenditures, which millage rate shall not exceed a
175 maximum of 50 cents for each \$1,000 of assessed valuation of all
176 properties within the county that are subject to county taxes.

177 (3) The budget of the Broward School Safety Board so
178 certified and delivered to the School Board of Broward County,
179 the Board of County Commissioners of Broward County, and the
180 Broward Legislative Delegation is not subject to change or
181 modification by the School Board of Broward County or any other
182 authority.

183 Section 6. Levying of ad valorem taxes.—In order to
184 provide funds for the Broward School Safety Board, the board
185 may, upon approval by referendum as provided in section 8, levy
186 ad valorem taxes annually on all taxable property in the county
187 in an amount not to exceed one-half mill, provided that the
188 authority to levy such taxes has been approved by a majority
189 vote of the electors of the district voting in the countywide
190 election to be held in accordance with the requirements of the
191 State Constitution and state law and as set forth in this act.
192 The tax shall be assessed, levied, and collected in the same
193 manner and at the same time as is provided by law of the levy,
194 collection, and enforcement of collection of county taxes. All

195 tax money collected under this act, as soon after the collection
 196 thereof as is reasonably practicable, shall be paid directly to
 197 the board by the tax collector of the county and all other
 198 applicable county officials. The moneys so received by the board
 199 shall be deposited in a special bank account and shall be
 200 withdrawn only by checks signed by the chair of the board and
 201 countersigned by one other member of the board. The chair and
 202 the other member of the board who signs its checks shall give a
 203 surety bond in the amount of \$1,000, which bond shall be
 204 conditioned that each shall faithfully discharge the duties of
 205 his or her office. No other member of the council shall be
 206 required to give bond or other security. Funds of the board
 207 shall be expended by check, except expenditures of petty cash,
 208 which shall not at any time exceed \$100. All expenditures from
 209 petty cash shall be recorded on the books and records of the
 210 board. No funds of the board, except the expenditures of petty
 211 cash, shall be expended without previous approval of the board,
 212 in addition to the budgeting thereof.

213 Section 7. Amendment.—The Broward School Safety Board, its
 214 powers and duties, the independent special district created
 215 herein, and this special act may be amended by special act of
 216 the Legislature.

217 Section 8. Referendum.—To provide for the power of the
 218 Broward School Safety Board to levy ad valorem taxes as provided
 219 for in section 6, the Board of County Commissioners of Broward
 220 County is directed to call a special election on the date of the
 221 primary election of 2014. The item that shall appear on the

222 ballot on the date of the primary election of 2014 shall be as
 223 follows:

224
 225 The Broward School Safety Board shall be authorized to levy ad
 226 valorem taxation.

227
 228 An independent special district known as the Broward School
 229 Safety Board is authorized to levy each year an ad valorem tax
 230 not to exceed one-half mill for purposes of the security of the
 231 public schools within Broward County and for mental health
 232 referral services for students and staff within said schools.

233
 234 Yes _____

235
 236 No _____

237
 238 Section 9. Dissolution.—The Board of County Commissioners
 239 of Broward County shall submit the question of retention or
 240 dissolution of the Broward School Safety Board and the
 241 independent special district created herein to the electorate in
 242 the general election of November 2026, and at every general
 243 election every 12 years thereafter.

244 Section 10. This act shall take effect upon becoming a
 245 law, except that section 6 shall take effect only if approved by
 246 a majority vote of those qualified electors of Broward County
 247 voting in a referendum as provided in section 8 to be called by
 248 the Supervisor of Elections of Broward County on the date of the
 249 primary election of 2014, in accordance with the provisions of

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250 | law relating to elections currently in force in Broward County.
251 | In this election, the procedures prescribed in sections
252 | 101.6101-101.6107, Florida Statutes, may not be used.