

House Bill No. 355

An act relating to the Juvenile Welfare Board of Pinellas County; providing legislative intent; amending, codifying, and reenacting chapters 23483 (1945), 24826 (1947), 25500 (1949), 26356 (1949), 61-2675, 65-2101, 70-894, 79-555, 92-228, 93-311, 95-473, and 2000-427, Laws of Florida; repealing all prior special acts relating to the Juvenile Welfare Board of Pinellas County; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Juvenile Welfare Board of Pinellas County. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the board, including all current legislative authority granted to the board by its several legislative enactments and any additional authority granted by this act. It is further the intent of this act to preserve all board authority in addition to any authority contained in chapter 298, Florida Statutes, as amended from time to time.

Section 2. Chapters 23483 (1945), 24826 (1947), 25500 (1949), 26356 (1949), 61-2675, 65-2101, 70-894, 79-555, 92-228, 93-311, 95-473, and 2000-427, Laws of Florida, are amended, codified, reenacted, and repealed as herein provided.

Section 3. The charter for the Juvenile Welfare Board of Pinellas County is re-created and reenacted to read:

PART I.

There is hereby created for Pinellas County, Florida, the Juvenile Welfare Board of Pinellas County, which shall consist of eleven (11) members. One (1) member shall be the county superintendent of public instruction, and the second member shall be a judge in the juvenile division of the Sixth Circuit Court, who each shall hold office on the board during the term of office in the official capacity stated. The third and fourth members shall be the state attorney and the public defender for the county, and the fifth member shall be an appointed member of the Board of County Commissioners of Pinellas County, Florida, who each shall hold office on the board during the term of office in the official capacity stated. The other six (6) members shall be appointed by the Governor of the State of Florida and confirmed by the Senate. All appointments of members of the board required to be made by the Governor shall be for the term of four (4) years each. If any of the members of the board required to be appointed by the Governor under the provisions of this section shall resign, die, or be removed from office, the vacancy thereby created shall, as soon as practicable, be filled by appointment by the Governor, and such appointment to fill a vacancy shall be for the unexpired term of the person who resigns, dies, or is removed from office.

PART 2.

(a) The board hereby created shall have the following powers and duties:

1. To provide and maintain in the county such preventive, developmental, treatment, and rehabilitative services for children as the Board determines are needed for the general welfare of the county.

2. To provide such other services for children as the Board determines are needed for the general welfare of the county.

3. To allocate and provide funds for other agencies in the county which are operated for the benefit of juveniles, provided they are not under the exclusive jurisdiction of the public school system.

4. To collect information and statistical data which will be helpful to the board in deciding the needs of juveniles in the county and to consult with other agencies dedicated to the welfare of juveniles to the end that the overlapping of services will be prevented.

5. To lease or buy such real estate, equipment, and personal property and to construct such buildings as are needed to execute the foregoing powers and duties, provided that no such purchases shall be made or building done except for cash with funds on hand, and to employ and pay on a part or full-time basis personnel needed to execute the foregoing powers and duties.

6. Books of account shall be kept by the Board or its staff, and the fiscal affairs of such Board shall be audited annually by certified public accountants selected by the Board for such purposes.

(b) The Juvenile Welfare Board of Pinellas County shall be exempt from the payment of any fees, taxes, or increment revenues to community redevelopment agencies established pursuant to part III of chapter 163, Florida Statutes, except to the extent that such fees, taxes, or increment revenues have previously been pledged to bonds, notes, or other forms of indebtedness authorized and issued by the governing body of a municipality or a community redevelopment agency before May 5, 1993. With respect to the fees, taxes, or increment revenues that, before May 5, 1993, have previously been pledged to bonds, notes, or other forms of indebtedness, the Juvenile Welfare Board of Pinellas County shall be exempt from the payment of any further fees, taxes, or increment revenues to community redevelopment agencies, upon the payment or other defeasance of such bonds, notes, or other forms of indebtedness.

PART 3.Section 1.

(a) After this act becomes a law, the Juvenile Welfare Board of Pinellas County shall adopt an annual fiscal year which shall be the same as that of the Board of County Commissioners of Pinellas County.

(b) On or before July 1st of each year hereafter, the Juvenile Welfare Board of Pinellas County shall prepare and adopt an annual written budget

of its expected income and expenditures, including a contingency fund. The said written budget shall be certified and delivered to the Board of County Commissioners of Pinellas County on or before the first day of July each year. Included in each certified budget shall be an estimate of the millage rate necessary to be applied to raise the funds budgeted for expenditures, which millage rate shall not exceed a maximum of \$1.00 for each \$1,000.00 of assessed valuation of all properties within Pinellas County which are subject to county taxes.

(c) Said budget of the Juvenile Welfare Board of Pinellas County so certified and delivered to the Board of County Commissioners of Pinellas County shall not be subject to change or modification by the said Board of County Commissioners, or any other authority.

Section 2.

(a) In order to provide funds for the board, there shall be levied annually on all property in Pinellas County which is subject to county taxes an additional tax of up to one dollar (\$1.00) for each one thousand dollars (\$1,000.00) of assessed valuation of said property for the year 1990 and each subsequent year.

(b) The Board of County Commissioners shall direct the levy of said additional tax at the millage rate so certified by the Juvenile Welfare Board of Pinellas County, up to a maximum of one dollar (\$1.00) for each one thousand dollars (\$1,000.00) of the assessed valuation of all property in the county which is subject to county tax.

(c) The additional tax above provided shall be assessed, levied, and collected in the same manner and at the same time, and its collection shall be enforced in the same manner and at the same time, as is provided by law for the levy, collection, and enforcement of collection of other county taxes. All tax money collected under the terms of this act, as soon after the collection thereof as is reasonably practical, shall be paid directly to the Juvenile Welfare Board of Pinellas County by the tax collector of the county or the clerk of the circuit court if he or she collects delinquent taxes. The moneys so received by the Juvenile Welfare Board of Pinellas County shall be deposited in a special bank account and shall be withdrawn only by checks signed by the chair of said board, and countersigned by one other member of the juvenile welfare board who shall be so authorized by the board.

(d) No funds of the Juvenile Welfare Board of Pinellas County shall be expended except by check or an appropriate electronic transfer method as aforesaid, except expenditures from a petty cash account which shall not at any time exceed one hundred dollars (\$100.00). All expenditures from petty cash shall be recorded on the books and records of the juvenile welfare board.

(e) No funds of the Juvenile Welfare Board of Pinellas County excepting expenditures from petty cash shall be expended without prior approval of the board, in addition to the budgeting thereof.

(f) It is the intent of the Legislature that the funds collected pursuant to the provisions of this act shall be used to support improvements in children's

services and that such funds not be used as a substitute for existing resources or for resources that would otherwise be available for children's services.

Section 3. Within ten (10) days after the expiration of each quarter annual period, the Juvenile Welfare Board of Pinellas County shall cause to be prepared and filed with the Board of County Commissioners of Pinellas County a financial report which shall include the following:

- (a) The total expenditures of the Board for said quarter annual period.
- (b) The total receipts of the Board during said quarter annual period.
- (c) A statement of the funds the Board has on hand or in banks at the end of said quarter annual period.

PART 4.

If in the judgment of the Board of County Commissioners of Pinellas County the Juvenile Welfare Board of Pinellas County needs additional funds to further its purposes and its work, then said Board of County Commissioners is hereby authorized to furnish such additional funds to the Juvenile Welfare Board of Pinellas County from its contingency or other reserves.

Section 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 5. In the event of a conflict between the provisions of this act and the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

Section 6. This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended.

Section 7. Chapters 23483 (1945), 24826 (1947), 25500 (1949), 26356 (1949), 61-2675, 65-2101, 70-894, 79-555, 92-228, 93-311, 95-473, and 2000-427, Laws of Florida, are repealed.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor June 10, 2003.

Filed in Office Secretary of State June 10, 2003.