



**NORTH BROWARD
HOSPITAL DISTRICT
BOARD OF COMMISSIONERS**

Education

Overview of Florida Special Districts

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WHAT IS A SPECIAL DISTRICT?

- **Special District** means a “... *unit of local government created for a special purpose, as opposed to a general purpose, which has jurisdiction to operate within a limited geographic boundary and is created by general law, special act, local ordinance, or by rule of the Governor and Cabinet.*” Section 189.012 (6) Florida Statutes.



CLASSIFICATION OF SPECIAL DISTRICTS



Dependent

- A special district is dependent if a single county or single municipality has one or more of the following powers:
 - Authority to designate all of its own governing body members to also serve as the governing body for the special district
 - Authority to appoint all members to the special district's governing board.
 - Authority to remove any governing body member at will during unexpired terms
 - Authority to approve or veto the special districts budget.

Independent

- A special district is independent if it does not have any dependent characteristics.
- The North Broward Hospital District is an independent special district.



NUMBER OF SPECIAL DISTRICTS



Total of 1,904 Special Districts in Florida (as of January 9, 2023)

Number of Independent Special Districts: 1,289

Number of Dependent Special Districts: 615

Number of Hospital and Health Care Special Districts: 31



LAWS THAT APPLY TO SPECIAL DISTRICTS



- The District's enabling legislation (aka Charter) which creates the District and provides authority.
- *Uniform Special Districts Accountability Act*, Chapter 189, Florida Statutes.
 - Passed in 1989 by the Florida Legislature and provides for general requirements including the creation, merger and dissolution processes, reporting, compliance with open government and ethics laws, general operations.
 - Eight (8) Part Act



OTHER LAWS THAT APPLY TO SPECIAL DISTRICTS



Depending on its special purpose and authority, a special district may be subject to certain constitutional provisions, general laws, laws unique to its special purpose, and federal laws.

- US Constitution
 - First Amendment
 - Fourteenth Amendment
- FL Constitution
 - Access to Public Records and Meetings
 - Pledging Credit
- Florida General Laws
 - Public Officers and Employees, Ethics
 - Public Records
 - Open Meetings
 - Negligence; Sovereign Immunity
 - Florida Hospital Law
- Federal Laws
 - Stark Law and Antikickback Statute
 - False Claims Act
 - Civil Monetary Penalties Law
 - Antitrust
 - American with Disabilities Act
 - Rehabilitation Act



SPECIAL DISTRICT ACCOUNTABILITY PROGRAM SUPPORT



- The Special District Accountability Program, within the Florida Department of Economic Opportunity (DEO):
 - Provides technical assistance for compliance with the *Uniform Special Districts Accountability Act*
 - Produces the *Florida Special District Handbook Online*
 - Maintains the *Official List of Special Districts Online*
 - Declares certain districts inactive when certain criteria is met

THE END



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