



**NORTH BROWARD  
HOSPITAL DISTRICT  
BOARD OF COMMISSIONERS**

**Education**

**Overview of Florida Special Districts**

**January 2023**

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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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