

PROPOSED

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PROVIDING FOR A REFERENDUM ELECTION TO BE HELD ON NOVEMBER 8, 2022, TO DETERMINE WHETHER TO APPROVE A 0.5% SALES SURTAX FOR A PERIOD OF 12 YEARS TO FUND THE BROWARD COUNTY PREVENTIVE HEALTH CARE PROGRAM; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Mark D. Bogen)

WHEREAS, heart disease is the leading cause of death for men, women, and people of most racial and ethnic groups in the United States, according to the Centers for Disease Control and Prevention (“CDC”);

WHEREAS, the CDC calculates that one person dies every 36 seconds in the United States from cardiovascular disease, and that more than 600,000 people in the United States die from heart disease every year;

WHEREAS, the Florida Department of Health indicates that heart disease accounts for approximately two out of ten deaths in Florida, and that in 2019, the most recent year for which statistics are available, heart disease was the leading cause of death in Broward County, accounting for the deaths of 3,602 Broward County residents;

WHEREAS, heart disease and cardiovascular disease are treatable diseases, particularly when detected early, and the CDC estimates that 80% of cardiovascular disease is preventable;

WHEREAS, cancer is the second leading cause of death in Florida, accounting for 3,391 deaths in Broward County in 2019, according to the Florida Department of Health, Bureau of Vital Statistics;

1 WHEREAS, according to the Florida Cancer Data System, the top five most
2 frequently diagnosed cancers—lung, breast, prostate, colorectal, and melanoma—
3 account for more than half of the cancer diagnoses in Florida;

4 WHEREAS, Broward County already funds certain primary health care services
5 provided by the North and South Broward Hospital Districts, and also funds a number of
6 other significant programs such as mental health services, programs to reduce infant
7 mortality in high-risk areas, reimbursement for emergency hospital services provided to
8 indigent residents, and HIV/AIDS medical and support services;

9 WHEREAS, it is in the public interest of Broward County to further ensure that
10 Broward residents, including residents who are indigent or medically poor, have access
11 to primary care and preventive care to treat and prevent these leading causes of death
12 and to ensure access to hospital care services when necessary;

13 WHEREAS, Section 212.055(4), Florida Statutes, provides for the levy of an
14 Indigent Care and Trauma Center Surtax (“Health Care Surtax”) of up to one-half percent
15 (0.5%) by the enactment of an ordinance by a majority of the members of the Broward
16 County Board of County Commissioners (“Board”), subject to approval by a majority of
17 the electors of Broward County voting in a referendum election on the Health Care Surtax;

18 WHEREAS, if the levy of the Health Care Surtax is approved by referendum at the
19 General Election on November 8, 2022, the Health Care Surtax will be levied for a period
20 of twelve (12) years and the proceeds of the Health Care Surtax will be expended as
21 authorized in Section 212.055(4), Florida Statutes, and in accordance with the Broward
22 County Preventive Health Care Program Plan (“Health Care Plan”), as approved by the
23 Board and as may be amended by the Board from time to time; and

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1 WHEREAS, the public interest will be served by having the Health Care Plan,
2 including the allocation of funds, reevaluated from time to time to ensure the Health Care
3 Plan is meeting its objectives and to ensure the best and most efficient use of the Health
4 Care Surtax proceeds, NOW, THEREFORE,

5 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
6 BROWARD COUNTY, FLORIDA:

7 Section 1. Conditioned upon the Board's approval of an Ordinance levying a
8 one-half percent (0.5%) Health Care Surtax for a period of twelve (12) years, a
9 referendum election is called for the General Election on November 8, 2022, and at such
10 other times as permitted for voting under Chapter 101, Florida Statutes.

11 Section 2. In accordance with Section 100.342, Florida Statutes, at least thirty
12 (30) days' notice of the referendum election shall be published by the County
13 Administrator in a newspaper of general circulation in Broward County. The publication
14 shall be made at least twice, including once in the fifth week and once in the third week
15 prior to the week in which the referendum is to be held. The notice is hereby attached as
16 Exhibit A and made a part hereof.

17 Section 3. Said referendum election shall be held between the hours of
18 7:00 a.m. and 7:00 p.m. on Tuesday, November 8, 2022, and at such other days and
19 times as provided under applicable law, including early voting as provided by
20 Section 101.657, Florida Statutes, at polling places established in Broward County. All
21 registered and qualified electors in Broward County shall be eligible to vote in the
22 referendum election. Vote-by-mail ballots and early voting access for the referendum shall
23 be made available as provided by law.

24

1 Section 4. The election boards consisting of the clerks and inspectors
2 appointed to serve for the November 8, 2022, General Election are hereby appointed to
3 serve in the referendum election in the manner provided by law.

4 Section 5. The Broward County Canvassing Board shall canvass the returns in
5 said election and shall certify the results of the referendum election as provided by law.

6 Section 6. The County Administrator shall furnish a certified copy of this
7 adopted Resolution to the Supervisor of Elections for Broward County promptly upon
8 adoption of this Resolution and enactment of the referenced Ordinance by the Board.

9 Section 7. The title and summary of the referendum to appear on the General
10 Election ballot on November 8, 2022, as embodied in this enabling Resolution, shall be
11 as follows:

12 **HEALTH CARE SERVICES, INCLUDING INNOVATIVE PROGRAM OF HEALTH**
13 **SCREENINGS FOR COUNTY RESIDENTS, FUNDED BY SURTAX**

14 Shall Broward County fund (i) innovative health care programs, such as preventive
15 heart and cancer screenings, available to all County residents, (ii) primary and preventive
16 health care for residents who are indigent or medically poor, and (iii) other permissible
17 expenditures described in a County health care plan, as periodically amended, by levying
18 a 0.5% sales surtax for 12 years, with recommendations regarding operation and review
19 of expenditures by an advisory board of experts?

20 FOR THE 0.5 CENT TAX _____

21 AGAINST THE 0.5 CENT TAX _____

22 Section 8. Severability.

23 If any portion of this Resolution is determined by any court to be invalid, the invalid
24 portion will be stricken, and such striking will not affect the validity of the remainder of this

1 Exhibit A

2 NOTICE OF REFERENDUM ELECTION TO BE HELD ON
3 TUESDAY, NOVEMBER 8, 2022, AND AT SUCH OTHER
4 TIMES AS PROVIDED FOR EARLY VOTING BY
5 SECTION 101.657, FLORIDA STATUTES, REFERENDUM
6 ELECTION TO BE HELD ON NOVEMBER 8, 2022, TO
7 DETERMINE WHETHER TO APPROVE A 0.5% SALES
8 SURTAX FOR A PERIOD OF 12 YEARS TO FUND THE
9 BROWARD COUNTY PREVENTIVE HEALTH CARE
10 PROGRAM.

11 A countywide referendum election will be held on Tuesday, November 8, 2022,
12 and at such other times as provided for by Chapter 101, Florida Statutes, for the purpose
13 of determining whether to approve a 0.5% sales surtax pursuant to Section 212.055(4),
14 Florida Statutes, for a period of twelve (12) years.

15 As set forth in enabling Resolution No. 2022-____, adopted on ____, by the Board of
16 County Commissioners of Broward County, Florida, the title and summary to appear on
17 the referendum ballot shall be as follows, with the appropriate Chapter reference to the
18 Laws of Florida, when available, inserted:

19 **HEALTH CARE SERVICES, INCLUDING INNOVATIVE PROGRAM OF HEALTH**
20 **SCREENINGS FOR COUNTY RESIDENTS, FUNDED BY SURTAX**

21 Shall Broward County fund (i) innovative health care programs, such as preventive
22 heart and cancer screenings, available to all County residents, (ii) primary and preventive
23 health care for residents who are indigent or medically poor, and (iii) other permissible
24 expenditures described in a County health care plan, as periodically amended, by levying
a 0.5% sales surtax for 12 years, with recommendations regarding operation and review
of expenditures by an advisory board of experts?

1 FOR THE 0.5 CENT TAX _____

2 AGAINST THE 0.5 CENT TAX _____

3 The referendum shall be held on November 8, 2022, between the hours of
4 7:00 a.m. and 7:00 p.m., and at such other days and times as provided under applicable
5 law, including for early voting as provided by Section 101.657, Florida Statutes, at the
6 polling places established in Broward County. All registered and qualified electors of
7 Broward County shall be eligible to vote in said referendum election. Vote-by-mail ballots
8 for the referendum election shall be prepared and made available as provided by law.

9 The Broward County Canvassing Board shall canvass the returns and certify the
10 results of the referendum election to the Board of County Commissioners of
11 Broward County, Florida, the Broward County Administrator, and the Florida Department
12 of State, to be recorded and filed in appropriate public records.

13 Instructions:

14 A. Publish two (2) times:

15 Once on: October 4, 2022

16 Once on: October 18, 2022

17 B. Furnish two (2) proofs of publication and invoice to:

18 Mary Anne Darby, Deputy Clerk
19 Records, Taxes and Treasury Division
20 Broward County Governmental Center
115 S. Andrews Avenue, Room 336-U
Fort Lauderdale, Florida 33301

21 C. Furnish one (1) proof of publication and invoice to:

22 Broward County Attorney's Office
23 Broward County Governmental Center
115 S. Andrews Avenue, Room 423
24 Fort Lauderdale, Florida 33301