



## Fire District Performance Review FAQ

**How did this come about?** In 2021, Section 189.0695, F.S., was created and requires all independent special fire control districts to conduct a performance review every five (5) years beginning October 1, 2022 (see details below). Except for independent special fire control district located within a *rural area of opportunity* (see list below), all independent special fire control districts must contract with an independent entity to conduct the performance review.

**What are the criteria for the firm that conducts the performance review?** The independent entity must meet these 3 criteria:

- Have at least five (5) years of experience conducting comparable reviews of organizations similar in size and function to the independent special fire control district under review.
- Conduct the review according to applicable industry best practice.
- May not have any affiliation with or financial involvement in the reviewed independent special fire control district.

**Do we have to do it?** It is Florida Law.

**When does it need to be done?** The law is effective beginning October 1, 2022. The final report of the performance review must be filed with the governing board of the district, the Auditor General, the President of the Senate, and the Speaker of the House of Representatives no later than nine (9) months from the beginning of the district's fiscal year.

**Can we use 2023 budget?** Yes, you can use 2023 budget. Note that there appear to be only a few vendors conducting these audits, so take that into account.

**What happens if we ignore it?** We cannot give legal advice, and do not know how Florida will approach this, but you would be breaking the law. This could have impacts on you, your fire district, and potentially your special district status. We recommend that you complete the performance review. Please provide FASD with feedback on your experience to hopefully remove future cyclical requirements.

**What FASD tools are available?** Sample RFP (with piggyback clause) and contract are available on the FASD website.

### Future Years

- Beginning October 1, 2022, and every 5 years thereafter, each independent special fire control district as defined in s. 191.003, must have a performance review conducted.



- Beginning October 1, 2023, and every 5 years thereafter, each hospital licensed under Chapter 395 which is governed by the governing body of a special district as defined in s. 189.012 or by the board of trustees of a public health trust created under s. 154.07, must have a performance review conducted.
- The Office of Program Policy Analysis and Government Accountability must conduct a performance review of all independent special districts within the classifications described in paragraphs (a) and (b)
  - (a) For all independent mosquito control districts as defined in s. 388.011, no later than September 30, 2023.
  - (b) For all soil and water conservation districts as defined in s. 582.01, no later than September 30, 2024.

**Northwest Rural Area of Opportunity:** Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington counties, and the area within the city limits of Freeport and Walton County north of the Choctawhatchee Bay and intercoastal waterway. *To learn more about the Northwest RAO region, please contact Opportunity Florida.*

**South Central Rural Area of Opportunity:** DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties, and the cities of Pahokee, Belle Glade, and South Bay (Palm Beach County), and Immokalee (Collier County). *For more information about the South Central RAO region, please contact Florida's Heartland Regional Economic Development Initiative, Inc.*

**North Central Rural Area of Opportunity:** Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor, and Union counties. *For more information about the North Central RAO region, please contact North Florida Economic Development Partnership.*