

By Representative Wallace

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House Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution relating to the limitation on state revenues.

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

That the amendment to Section 1 of Article VII of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 1998:

SECTION 1. Taxation; appropriations; state expenses; state revenue limitation.--

(a) No tax shall be levied except in pursuance of law. No state ad valorem taxes shall be levied upon real estate or tangible personal property. All other forms of taxation shall be preempted to the state except as provided by general law.

(b) Motor vehicles, boats, airplanes, trailers, trailer coaches and mobile homes, as defined by law, shall be subject to a license tax for their operation in the amounts and for the purposes prescribed by law, but shall not be subject to ad valorem taxes.

(c) No money shall be drawn from the treasury except in pursuance of appropriation made by law.

(d) Provision shall be made by law for raising sufficient revenue to defray the expenses of the state for each fiscal period.

(e) Except as provided herein, state revenues collected for any fiscal year shall be limited to state revenues allowed under this subsection for the prior fiscal

1 year plus an adjustment for growth. As used in this  
2 subsection, "growth" means an amount equal to the average  
3 annual rate of growth in Florida median household ~~personal~~  
4 income over the most recent twenty quarters times the state  
5 revenues ~~allowed under this subsection~~ for the prior fiscal  
6 year. For the 1995-1996 fiscal year, the state revenues  
7 allowed under this subsection for the prior fiscal year shall  
8 equal the state revenues collected for the 1994-1995 fiscal  
9 year. Florida median household ~~personal~~ income shall be  
10 determined by the legislature, from information available from  
11 the United States Department of Commerce or its successor on  
12 the first day of February prior to the beginning of the fiscal  
13 year. State revenues collected for any fiscal year in excess  
14 of this limitation shall be transferred to the budget  
15 stabilization fund until the fund reaches the maximum balance  
16 specified in Section 19(g) of Article III, and thereafter  
17 shall be refunded to taxpayers as provided by general law.  
18 State revenues allowed under this subsection for any fiscal  
19 year may be increased by a two-thirds vote of the membership  
20 of each house of the legislature in a separate bill that  
21 contains no other subject and that sets forth the dollar  
22 amount by which the state revenues allowed will be increased.  
23 The vote may not be taken less than seventy-two hours after  
24 the third reading of the bill. For purposes of this  
25 subsection, "state revenues" means taxes, fees, licenses, and  
26 charges for services imposed by the legislature on  
27 individuals, businesses, or agencies outside state government.  
28 However, "state revenues" does not include: revenues that are  
29 necessary to meet the requirements set forth in documents  
30 authorizing the issuance of bonds by the state; revenues that  
31 are used to provide matching funds for the federal Medicaid

1 program with the exception of the revenues used to support the  
2 Public Medical Assistance Trust Fund or its successor program  
3 and with the exception of state matching funds used to fund  
4 elective expansions made after July 1, 1994; proceeds from the  
5 state lottery returned as prizes; receipts of the Florida  
6 Hurricane Catastrophe Fund; balances carried forward from  
7 prior fiscal years; taxes, licenses, fees, and charges for  
8 services imposed by local, regional, or school district  
9 governing bodies; or revenue from taxes, licenses, fees, and  
10 charges for services required to be imposed by any amendment  
11 or revision to this constitution after July 1, 1994. An  
12 adjustment to the revenue limitation shall be made by general  
13 law to reflect the fiscal impact of transfers of  
14 responsibility for the funding of governmental functions  
15 between the state and other levels of government. The  
16 legislature shall, by general law, prescribe procedures  
17 necessary to administer this subsection.

18 BE IT FURTHER RESOLVED that in accordance with the  
19 requirements of section 101.161, Florida Statutes, the title  
20 and substance of the amendment proposed herein shall appear on  
21 the ballot as follows:

22 REVISION OF GROWTH ADJUSTMENT

23 TO LIMITATION ON STATE REVENUE COLLECTIONS

24 Proposing an amendment to Section 1 of Article VII of  
25 the State Constitution to provide that Florida median  
26 household income, rather than Florida personal income, and  
27 state revenues, rather than state revenues allowed, for the  
28 prior fiscal year shall be the bases for the calculation of  
29 the growth adjustment to the constitutional limitation on  
30 state revenue collections.

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