

By the Committee on Community Affairs and Representatives  
Wallace, Maygarden, Gay, Turnbull, Feeney, Livingston, Fasano,  
Melvin and Trovillion

1                                   A bill to be entitled  
2           An act relating to the Legislature; creating s.  
3           11.077, F.S., the "Taxpayer Protection Act";  
4           requiring that any general law enacted by the  
5           Legislature that will potentially increase the  
6           cost of local government personnel salaries,  
7           wages, or benefits must include an economic  
8           impact statement; providing requirements for  
9           the economic impact statement and preparation  
10          and publication thereof; providing an effective  
11          date.

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13           WHEREAS, Article VIII of the State Constitution  
14          establishes local governments within the state with  
15          independent authority to exercise governmental authority and  
16          power, and

17           WHEREAS, inherent in the exercise of local governmental  
18          authority and governmental powers is the right of local  
19          governments to hire necessary personnel to conduct  
20          governmental activities and the right to provide salaries,  
21          wages, and benefits to said personnel, and

22           WHEREAS, funding of local government employees'  
23          salaries, wages, and benefits is ultimately the responsibility  
24          of the local citizen taxpayers, and

25           WHEREAS, personnel salaries, wages, and benefits  
26          frequently represent between 60 and 70 percent of the total  
27          operating budget of a local government, and

28           WHEREAS, control over these costs is essential to  
29          controlling governmental finances and protecting the  
30          taxpayers' interests, NOW, THEREFORE,

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1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Section 11.077, Florida Statutes, is  
4 created to read:

5 11.077 General laws affecting local government  
6 personnel costs.--

7 (1) This section may be cited as the "Taxpayer  
8 Protection Act."

9 (2) For the purpose of this section, "local  
10 government" refers to county, municipal, or special district  
11 government.

12 (3) Any general law enacted by the Legislature after  
13 January 1, 1999, which will potentially increase the cost of  
14 local government personnel salaries, wages, or benefits must  
15 include an economic impact statement which estimates the total  
16 cost to local governments and which is prepared prior to  
17 passage of the legislation. The economic impact statement  
18 shall be prepared by legislative staff of appropriate  
19 jurisdiction utilizing the expertise of state agencies such as  
20 the Division of Retirement of the Department of Management  
21 Services, the Department of Insurance, and others as needed.

22 (4) The economic impact statement must include:

23 (a) An estimate of the cost to all local governments  
24 of implementing the proposed legislation, including a separate  
25 calculation of the total cost to each of the five counties in  
26 the state with the greatest population, according to the  
27 latest official census, or the five municipalities in the  
28 state with the greatest population, according to the latest  
29 official census, or both, if applicable.

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1           (b) An estimate of the impact of the proposed  
2 legislation on competition and the open market for employment,  
3 if applicable.

4           (c) A preliminary comparison of the probable costs and  
5 benefits of the proposed legislation to the probable costs and  
6 benefits of not adopting the legislation.

7           (d) A detailed statement of the data and methodology  
8 used in making the estimates required by this subsection.

9           (e) An indication of whether the proposed change is in  
10 compliance with s. 14, Art. X of the State Constitution.

11           (f) A discussion of options for the means to finance  
12 the potential increase.

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14 If any of the requirements analyzed by the economic impact  
15 statement is indeterminable or unknown, a notation of such  
16 must be made, along with a good faith estimate of the range of  
17 the potential fiscal impact, given any degree of certainty,  
18 upon each of the local governments affected by the proposed  
19 general law. In addition, if the cost is indeterminable or  
20 unknown, the legislative staff must within 5 working days  
21 after making such determination make available that  
22 information to the designated associations of affected local  
23 governments and employee organizations that have an affected  
24 bargaining unit, in order to avail them of the opportunity to  
25 gather or provide any data on such impact. Those associations  
26 shall have 5 days from notification to provide the Legislature  
27 with their own estimate of the cost of the proposed  
28 legislation, which may be included as part of the economic  
29 impact statement provided prior to passage.

30           (5) The economic impact statement must be published  
31 and made available 4 days prior to the first legislative

1 committee hearing at which the bill is to be considered during  
2 the first 45 days of each regular legislative session;  
3 thereafter, the economic impact statement must be presented at  
4 the first legislative committee hearing at which the bill is  
5 to be considered. The economic impact statement must be  
6 updated as amended and presented in final form 5 days prior to  
7 passage of the bill by the Legislature.

8           Section 2. This act shall take effect upon becoming a  
9 law.

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