

By Senators Forman, Campbell, Klein, Geller and Dawson-White

32-444-99

See HB

1                                   A bill to be entitled  
 2           An act relating to the local option fuel tax  
 3           for county transportation systems; amending s.  
 4           336.025, F.S.; authorizing certain charter  
 5           counties to use a portion of certain proceeds  
 6           of said tax for homeless assistance programs;  
 7           providing for an interlocal agreement;  
 8           requiring adoption of a resolution specifying  
 9           that the county is meeting certain  
 10          transportation needs; requiring the county to  
 11          continue funding such programs from other  
 12          sources at a specified level; defining  
 13          "homeless assistance program"; providing for  
 14          expiration of the use of such proceeds for  
 15          homeless assistance programs; providing an  
 16          effective date.

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

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 20           Section 1. Present subsection (9) of section 336.025,  
 21 Florida Statutes, is renumbered as subsection (10), and a new  
 22 subsection (9) is added to that section to read:

23           336.025 County transportation system; levy of local  
 24 option fuel tax on motor fuel and diesel fuel.--

25           (9) Notwithstanding any other provision of this  
 26 section, the governing board of a charter county that has a  
 27 population of 1,250,000 or more persons and which levied a tax  
 28 under paragraph (1)(b) prior to January 1, 1999, may use the  
 29 proceeds of 1 cent of that tax in any fiscal year to fund any  
 30 homeless assistance program within the county. The charter  
 31 county may establish an interlocal agreement with one or more

1 municipalities located within the county, representing a  
2 majority of the population of the incorporated area in such  
3 county, which excludes the distribution of any proceeds  
4 derived from the 1-cent tax that is used for homeless  
5 assistance programs countywide. In authorizing the use of  
6 these proceeds for countywide homeless assistance programs,  
7 the governing board of the charter county must adopt a  
8 resolution certifying that the charter county is meeting its  
9 transportation needs as identified in the 5-year  
10 transportation capital improvements program included within  
11 the capital improvements element of the charter county's  
12 comprehensive plan. The charter county shall file a certified  
13 copy of the resolution with the executive director of the  
14 Department of Revenue and the Secretary of Community Affairs.  
15 A county that elects to use tax proceeds for homeless  
16 assistance programs pursuant to this subsection must continue  
17 to expend county funds from other sources each year for  
18 homeless assistance programs in an amount that is at least  
19 equal to the amount it expended for such programs in the  
20 fiscal year preceding the year in which the county makes such  
21 election. For purposes of this subsection, "homeless  
22 assistance program" includes, but is not limited to, the  
23 construction, renovation, rehabilitation, and operation of  
24 emergency shelters, homeless assistance centers, or other  
25 facilities which provide assistance to homeless persons within  
26 the county. Unless otherwise extended, the use of these  
27 proceeds for countywide homeless assistance programs as  
28 authorized by this subsection shall expire on September 30,  
29 2005.

30           Section 2. This act shall take effect upon becoming a  
31 law.

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LEGISLATIVE SUMMARY

Authorizes certain charter counties to use 1 cent of the proceeds of the additional local option tax on motor fuel which presently may be levied for county transportation systems for countywide homeless assistance programs. Requires the county to certify by resolution that its transportation needs identified in the county's comprehensive plan are being met. Directs that the county not decrease its level of funding of such programs from other sources. Provides for expiration of this authority in 2005.