

238-289AX-02

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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11 Representative(s) Logan and Villalobos offered the following:

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13 **Amendment (with title amendment)**

14 On page 2, line 8,

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16 insert:

17 Section 1. Paragraph (d) of subsection (1) of section
18 212.055, Florida Statutes, 1998 Supplement, is amended to
19 read:

20 212.055 Discretionary sales surtaxes; legislative
21 intent; authorization and use of proceeds.--It is the
22 legislative intent that any authorization for imposition of a
23 discretionary sales surtax shall be published in the Florida
24 Statutes as a subsection of this section, irrespective of the
25 duration of the levy. Each enactment shall specify the types
26 of counties authorized to levy; the rate or rates which may be
27 imposed; the maximum length of time the surtax may be imposed,
28 if any; the procedure which must be followed to secure voter
29 approval, if required; the purpose for which the proceeds may
30 be expended; and such other requirements as the Legislature
31 may provide. Taxable transactions and administrative

1 procedures shall be as provided in s. 212.054.

2 (1) CHARTER COUNTY TRANSIT SYSTEM SURTAX.--

3 (d) Proceeds from the surtax shall be applied to as
4 many or as few of the uses enumerated below in whatever
5 combination the county commission deems appropriate:

6 1. Deposited by the county in the trust fund and shall
7 be used ~~only~~ for the purposes of development, construction,
8 equipment, maintenance, operation, supportive services,
9 including a countywide bus system, and related costs of a
10 fixed guideway rapid transit system;

11 2. Remitted by the governing body of the county to an
12 expressway or transportation authority created by law to be
13 used, at the discretion of such authority, for the
14 development, construction, operation, or maintenance of roads
15 or bridges in the county, for the operation and maintenance of
16 a bus system, ~~or~~ for the payment of principal and interest on
17 existing bonds issued for the construction of such roads or
18 bridges, and, upon approval by the county commission, such
19 proceeds may be pledged for bonds issued to refinance existing
20 bonds or new bonds issued for the construction of such roads
21 or bridges; and ~~or~~

22 3. For each county, as defined in s. 125.011(1), used
23 for the development, construction, operation, and ~~or~~
24 maintenance of roads and bridges in the county; for the
25 expansion, operation, and maintenance of ~~an existing bus~~ and
26 fixed guideway systems ~~system~~; and ~~or~~ for the payment of
27 principal and interest on ~~existing~~ bonds issued for the
28 construction of fixed guideway rapid transit systems, bus
29 systems, roads, or bridges; and such proceeds may be pledged
30 by the governing body of the county for bonds issued to
31 refinance existing bonds or new bonds issued for the

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1 construction of such fixed guideway rapid transit systems, bus
2 systems, roads, or bridges and no more than 25 percent used
3 for nontransit uses.

4 Section 2. Paragraph (f) of subsection (2) of section
5 348.0004, Florida Statutes, is amended to read:

6 348.0004 Purposes and powers.--

7 (2) Each authority may exercise all powers necessary,
8 appurtenant, convenient, or incidental to the carrying out of
9 its purposes, including, but not limited to, the following
10 rights and powers:

11 (f) To fix, alter, charge, establish, and collect
12 tolls, rates, fees, rentals, and other charges for the
13 services and facilities system, which tolls, rates, fees,
14 rentals, and other charges must always be sufficient to comply
15 with any covenants made with the holders of any bonds issued
16 pursuant to the Florida Expressway Authority Act. However,
17 such right and power may be assigned or delegated by the
18 authority to the department. Notwithstanding s. 338.165 or any
19 other provision of law to the contrary, in any county as
20 defined in s. 125.011(1), to the extent surplus revenues
21 exist, they may be used for purposes enumerated in subsection
22 (7), provided the expenditures are consistent with the
23 metropolitan planning organization's adopted long-range plan.
24 Notwithstanding any other provision of law to the contrary,
25 but subject to any contractual requirements contained in
26 documents securing any outstanding indebtedness payable from
27 tolls, in any county as defined in s. 125.011(1), the board of
28 county commissioners may, by ordinance, alter or abolish
29 existing tolls and currently approved increases thereto if the
30 board provides a local source of funding to the county
31 expressway system for transportation in an amount sufficient

1 to replace revenues necessary to meet bond obligations secured
2 by such tolls and increases.

3 Section 3. In addition to the voting membership
4 established by s. 339.175(2), Florida Statutes, 1998
5 Supplement, and notwithstanding any other provision of law to
6 the contrary, the voting membership of any Metropolitan
7 Planning Organization whose geographical boundaries include
8 any county as defined in s. 125.011(1), Florida Statutes, must
9 include an additional voting member appointed by that city's
10 governing body for each city with a population of 50,000 or
11 more residents.

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14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 On page 1, line 3, after the semicolon

17
18 insert:

19 amending s. 348.0004, F.S.; authorizing certain
20 boards of county commissioners to alter
21 expressway tolls; providing additional
22 membership for Metropolitan Planning
23 Organizations; amending s. 212.055, F.S.;

24 revising the application of the charter county
25 transit system surtax;

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