

Bill No. SB 732
Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator McKay moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 3, between lines 20 and 21,		
15			
16	insert:		
17	<u>(8) MUNICIPAL CAPITAL OUTLAY SURTAX.--</u>		
18	<u>(a) The governing body of any municipality may levy,</u>		
19	<u>pursuant to resolution conditioned to take effect only upon</u>		
20	<u>approval by a majority vote of the electors of the</u>		
21	<u>municipality voting in a referendum, a discretionary sales</u>		
22	<u>surtax at a rate that may not exceed 0.5 percent.</u>		
23	<u>(b) The resolution shall include a statement that</u>		
24	<u>provides a brief and general description of the capital outlay</u>		
25	<u>projects to be funded by the surtax. The statement shall</u>		
26	<u>conform to the requirements of s. 101.161 and shall be placed</u>		
27	<u>on the ballot by the governing body of the municipality. The</u>		
28	<u>following question shall be placed on the ballot:</u>		
29			
30	<u>....FOR THE</u>	<u>....CENTS TAX</u>	
31	<u>....AGAINST THE</u>	<u>....CENTS TAX</u>	

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2 (c) The resolution providing for the imposition of the
3 surtax shall set forth a plan for use of the surtax proceeds
4 for fixed capital expenditures or fixed capital costs
5 associated with the construction, reconstruction, or
6 improvement of municipal facilities that have a useful life
7 expectancy of 5 or more years, and any land acquisition, land
8 improvement, design, and engineering costs related thereto.
9 Surtax revenues may be used for the purpose of servicing bond
10 indebtedness to finance projects authorized by this
11 subsection, and any interest accrued thereto may be held in
12 trust to finance such projects. Neither the proceeds of the
13 surtax nor any interest accrued thereto shall be used for
14 operational expenses.

15 (d) Surtax revenues collected by the Department of
16 Revenue pursuant to this subsection shall be distributed to
17 the municipality imposing the surtax in accordance with law.

18 Section 2. Subsection (7) of section 212.054, Florida
19 Statutes, 1998 Supplement, is amended to read:

20 212.054 Discretionary sales surtax; limitations,
21 administration, and collection.--

22 (7)(a) The governing body of any county levying a
23 discretionary sales surtax, or the school board of any county
24 levying the school capital outlay surtax authorized by s.
25 212.055(7), or the governing body of any municipality levying
26 the capital outlay surtax authorized by s. 212.055(8) shall
27 notify the department within 10 days after final adoption by
28 ordinance or referendum of an imposition, termination, or rate
29 change of the surtax, but no later than November 16 prior to
30 the effective date. The notice must specify the time period
31 during which the surtax will be in effect and the rate and

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1 must include a copy of the ordinance and such other
2 information as the department requires by rule. Failure to
3 timely provide such notification to the department shall
4 result in the delay of the effective date for a period of 1
5 year.

6 (b) In addition to the notification required by
7 paragraph (a), the governing body of any county proposing to
8 levy a discretionary sales surtax, ~~or~~ the school board of any
9 county proposing to levy the school capital outlay surtax
10 authorized by s. 212.055(7), or the governing body of any
11 municipality proposing to levy the capital outlay surtax
12 authorized by s. 212.055(8) shall notify the department by
13 October 1 if the referendum or consideration of the ordinance
14 that would result in imposition, termination, or rate change
15 of the surtax is scheduled to occur on or after October 1 of
16 that year. Failure to timely provide such notification to the
17 department shall result in the delay of the effective date for
18 a period of 1 year.

19
20 (Redesignate subsequent sections.)

21
22
23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 1, line 9, following the semicolon

26
27 insert:

28 authorizing municipalities to impose a capital
29 outlay surtax; providing for a referendum;
30 amending s. 212.054, F.S.; providing for the
31 governing body of a municipality levying the

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1 surtax to notify the Department of Revenue;
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