

hbd-38

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Gay, Melvin, Brummer, and Maygarden offered the following:

Substitute Amendment for Amendment (604791) (with title amendment)

remove from the bill: everything after the enacting clause and insert in lieu thereof:

Section 1. Paragraph (a) of subsection (2) of section 210.20, Florida Statutes, is amended to read:

210.20 Employees and assistants; distribution of funds.--

(2) As collections are received by the division from such cigarette taxes, it shall pay the same into a trust fund in the State Treasury designated "Cigarette Tax Collection Trust Fund" which shall be paid and distributed as follows:

(a) The division shall from month to month certify to the Comptroller the amount derived from the cigarette tax imposed by s. 210.02, less the service charges provided for in s. 215.20 and less 0.9 percent of the amount derived from the cigarette tax imposed by s. 210.02, which shall be deposited

hbd-38

Bill No. HB 2253

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

1 into the Alcoholic Beverage and Tobacco Trust Fund, specifying
 2 the amounts to be transferred from the Cigarette Tax
 3 Collection Trust Fund and credited on the basis of ~~5.8 percent~~
 4 ~~of the net collections to the Municipal Financial Assistance~~
 5 ~~Trust Fund, 32.4 percent of the net collections to the Revenue~~
 6 ~~Sharing Trust Fund for Municipalities, 2.9 percent of the net~~
 7 collections to the Revenue Sharing Trust Fund for Counties,
 8 and 29.3 percent of the net collections for the funding of
 9 indigent health care to the Public Medical Assistance Trust
 10 Fund.

11 Section 2. Paragraph (f) of subsection (6) of section
 12 212.20, Florida Statutes, is amended to read:

13 212.20 Funds collected, disposition; additional powers
 14 of department; operational expense; refund of taxes
 15 adjudicated unconstitutionally collected.--

16 (6) Distribution of all proceeds under this chapter
 17 shall be as follows:

18 (f) The proceeds of all other taxes and fees imposed
 19 pursuant to this chapter shall be distributed as follows:

20 1. In any fiscal year, the greater of \$500 million,
 21 minus an amount equal to 4.6 percent of the proceeds of the
 22 taxes collected pursuant to chapter 201, or 5 percent of all
 23 other taxes and fees imposed pursuant to this chapter shall be
 24 deposited in monthly installments into the General Revenue
 25 Fund.

26 2. Two-tenths of one percent shall be transferred to
 27 the Solid Waste Management Trust Fund.

28 3. After the distribution under subparagraphs 1. and
 29 2., 9.653 percent of the amount remitted by a sales tax dealer
 30 located within a participating county pursuant to s. 218.61
 31 shall be transferred into the Local Government Half-cent Sales

hbd-38

Bill No. HB 2253

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

1 Tax Clearing Trust Fund.

2 4. After the distribution under subparagraphs 1., 2.,
3 and 3., 0.054 percent shall be transferred to the Local
4 Government Half-cent Sales Tax Clearing Trust Fund and
5 distributed pursuant to s. 218.65.

6 5. For proceeds received after July 1, 2000, and after
7 the distributions under subparagraphs 1., 2., 3., and 4.,
8 1.0715 percent of the available proceeds pursuant to this
9 paragraph shall be transferred monthly to the Revenue Sharing
10 Trust Fund for Municipalities pursuant to s. 218.215.

11 6.5. Of the remaining proceeds:

12 a. One hundred sixty-six thousand six hundred and
13 sixty-seven dollars ~~Beginning July 1, 1992, \$166,667~~ shall be
14 distributed monthly by the department to each applicant that
15 has been certified as a "facility for a new professional
16 sports franchise" or a "facility for a retained professional
17 sports franchise" pursuant to s. 288.1162 and \$41,667 shall be
18 distributed monthly by the department to each applicant that
19 has been certified as a "new spring training franchise
20 facility" pursuant to s. 288.1162. Distributions shall begin
21 60 days following such certification and shall continue for 30
22 years. Nothing contained herein shall be construed to allow an
23 applicant certified pursuant to s. 288.1162 to receive more in
24 distributions than actually expended by the applicant for the
25 public purposes provided for in s. 288.1162(7). However, a
26 certified applicant shall receive distributions up to the
27 maximum amount allowable and undistributed under this section
28 for additional renovations and improvements to the facility
29 for the franchise without additional certification.

30 b. Beginning 30 days after notice by the Office of
31 Tourism, Trade, and Economic Development to the Department of

hbd-38

Bill No. HB 2253

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

1 Revenue that an applicant has been certified as the
2 professional golf hall of fame pursuant to s. 288.1168 and is
3 open to the public, \$166,667 shall be distributed monthly, for
4 up to 300 months, to the applicant.

5 c. Beginning 30 days after notice by the Department of
6 Commerce to the Department of Revenue that the applicant has
7 been certified as the International Game Fish Association
8 World Center facility pursuant to s. 288.1169, and the
9 facility is open to the public, \$83,333 shall be distributed
10 monthly, for up to 180 months, to the applicant. This
11 distribution is subject to reduction pursuant to s. 288.1169.

12 ~~7.6.~~ All other proceeds shall remain with the General
13 Revenue Fund.

14 Section 3. Subsection (6) of section 288.1169, Florida
15 Statutes, is amended to read:

16 288.1169 International Game Fish Association World
17 Center facility; department duties.--

18 (6) The Department of Commerce must recertify every 10
19 years that the facility is open, that the International Game
20 Fish Association World Center continues to be the only
21 international administrative headquarters, fishing museum, and
22 Hall of Fame in the United States recognized by the
23 International Game Fish Association, and that the project is
24 meeting the minimum projections for attendance or sales tax
25 revenues as required at the time of original certification.
26 If the facility is not recertified during this 10-year review
27 as meeting the minimum projections, then funding will be
28 abated until certification criteria are met. If the project
29 fails to generate \$1 million of annual revenues pursuant to
30 paragraph (2)(e), the distribution of revenues pursuant to s.
31 212.20(6)(f)~~6.5~~-c. shall be reduced to an amount equal to

hbd-38

Bill No. HB 2253

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

1 \$83,333 multiplied by a fraction, the numerator of which is
2 the actual revenues generated and the denominator of which is
3 \$1 million. Such reduction shall remain in effect until
4 revenues generated by the project in a 12-month period equal
5 or exceed \$1 million.

6 Section 4. Paragraph (b) of subsection (3) of section
7 11.45, Florida Statutes, is amended to read:

8 11.45 Definitions; duties; audits; reports.--

9 (3)

10 (b) The Legislative Auditing Committee shall direct
11 the Auditor General to make a financial audit of any
12 municipality whenever petitioned to do so by at least 20
13 percent of the electors of that municipality. The supervisor
14 of elections of the county in which the municipality is
15 located shall certify whether or not the petition contains the
16 signatures of at least 20 percent of the electors of the
17 municipality. After the completion of the audit, the Auditor
18 General shall determine whether the municipality has the
19 fiscal resources necessary to pay the cost of the audit. The
20 municipality shall pay the cost of the audit within 90 days
21 after the Auditor General's determination that the
22 municipality has the available resources. If the municipality
23 fails to pay the cost of the audit, the Department of Revenue
24 shall, upon certification of the Auditor General, withhold
25 from that portion of the distribution pursuant to s.
26 212.20(6)(f)5.municipal financial assistance trust fund for
27 municipalities which is derived from the cigarette tax imposed
28 under chapter 210, and which is distributable to such
29 municipality,a sum sufficient to pay the cost of the audit
30 and shall deposit that sum into the General Revenue Fund of
31 the state.

hbd-38

Bill No. HB 2253

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

1 Section 5. Section 200.132, Florida Statutes, is
2 repealed.

3 Section 6. This act shall take effect July 1, 2000.
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6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 remove: the entire title
9

10 and insert in lieu thereof:

11 A bill to be entitled

12 An act relating to revenue sharing with
13 municipal governments; amending s. 210.20,
14 F.S.; eliminating transfers of net cigarette
15 tax collections to the Municipal Financial
16 Assistance Trust Fund and Revenue Sharing Trust
17 Fund for Municipalities; amending s. 212.20,
18 F.S.; authorizing a distribution of proceeds
19 under ch. 212, F.S., to the Revenue Sharing
20 Trust Fund for Municipalities; amending s.
21 288.1169, F.S.; revising a cross reference, to
22 conform; amending s. 11.45, F.S.; revising a
23 reference, to conform; repealing s. 200.132,
24 F.S., relating to the Municipal Financial
25 Assistance Trust Fund; providing an effective
26 date.
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