

hbd-05

Bill No. HB 2433, 1st Eng.

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

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Representative(s) Gay offered the following:

Amendment (with title amendment)

On page 36, line 31, of the bill

insert:

Section 26. Effective July 1, 2000, 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 into the Alcoholic Beverage and Tobacco Trust Fund, specifying

hbd-05

Bill No. HB 2433, 1st Eng.

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

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

10 Section 27. Effective July 1, 2000, paragraph (f) of
 11 subsection (6) of section 212.20, Florida Statutes, is amended
 12 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-05

Bill No. HB 2433, 1st Eng.

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. If the
11 total revenue to be distributed pursuant to this subparagraph
12 is at least as great as the amount due from the Revenue
13 Sharing Trust Fund for Municipalities and the Municipal
14 Financial Assistance Trust Fund in state fiscal year
15 1999-2000, no municipality shall receive less than the amount
16 due from the Revenue Sharing Trust Fund for Municipalities and
17 the Municipal Financial Assistance Trust Fund in state fiscal
18 year 1999-2000. If the total proceeds to be distributed are
19 less than the amount received in combination from the Revenue
20 Sharing Trust Fund for Municipalities and the Municipal
21 Financial Assistance Trust Fund in state fiscal year
22 1999-2000, each municipality shall receive an amount
23 proportionate to the amount it was due in state fiscal year
24 1999-2000.

25 6.5. Of the remaining proceeds:

26 a. One hundred sixty-six thousand six hundred and
27 sixty-seven dollars ~~Beginning July 1, 1992, \$166,667~~ shall be
28 distributed monthly by the department to each applicant that
29 has been certified as a "facility for a new professional
30 sports franchise" or a "facility for a retained professional
31 sports franchise" pursuant to s. 288.1162 and \$41,667 shall be

hbd-05

Bill No. HB 2433, 1st Eng.

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

1 distributed monthly by the department to each applicant that
2 has been certified as a "new spring training franchise
3 facility" pursuant to s. 288.1162. Distributions shall begin
4 60 days following such certification and shall continue for 30
5 years. Nothing contained herein shall be construed to allow an
6 applicant certified pursuant to s. 288.1162 to receive more in
7 distributions than actually expended by the applicant for the
8 public purposes provided for in s. 288.1162(7). However, a
9 certified applicant shall receive distributions up to the
10 maximum amount allowable and undistributed under this section
11 for additional renovations and improvements to the facility
12 for the franchise without additional certification.

13 b. Beginning 30 days after notice by the Office of
14 Tourism, Trade, and Economic Development to the Department of
15 Revenue that an applicant has been certified as the
16 professional golf hall of fame pursuant to s. 288.1168 and is
17 open to the public, \$166,667 shall be distributed monthly, for
18 up to 300 months, to the applicant.

19 c. Beginning 30 days after notice by the Department of
20 Commerce to the Department of Revenue that the applicant has
21 been certified as the International Game Fish Association
22 World Center facility pursuant to s. 288.1169, and the
23 facility is open to the public, \$83,333 shall be distributed
24 monthly, for up to 180 months, to the applicant. This
25 distribution is subject to reduction pursuant to s. 288.1169.

26 7.6. All other proceeds shall remain with the General
27 Revenue Fund.

28 Section 28. Effective July 1, 2000, subsection (6) of
29 section 288.1169, Florida Statutes, is amended to read:

30 288.1169 International Game Fish Association World
31 Center facility; department duties.--

hbd-05

Bill No. HB 2433, 1st Eng.

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

1 (6) The Department of Commerce must recertify every 10
2 years that the facility is open, that the International Game
3 Fish Association World Center continues to be the only
4 international administrative headquarters, fishing museum, and
5 Hall of Fame in the United States recognized by the
6 International Game Fish Association, and that the project is
7 meeting the minimum projections for attendance or sales tax
8 revenues as required at the time of original certification.
9 If the facility is not recertified during this 10-year review
10 as meeting the minimum projections, then funding will be
11 abated until certification criteria are met. If the project
12 fails to generate \$1 million of annual revenues pursuant to
13 paragraph (2)(e), the distribution of revenues pursuant to s.
14 212.20(6)(f)~~6.5~~-c. shall be reduced to an amount equal to
15 \$83,333 multiplied by a fraction, the numerator of which is
16 the actual revenues generated and the denominator of which is
17 \$1 million. Such reduction shall remain in effect until
18 revenues generated by the project in a 12-month period equal
19 or exceed \$1 million.

20 Section 29. Effective July 1, 2000, paragraph (b) of
21 subsection (3) of section 11.45, Florida Statutes, is amended
22 to read:

23 11.45 Definitions; duties; audits; reports.--

24 (3)

25 (b) The Legislative Auditing Committee shall direct
26 the Auditor General to make a financial audit of any
27 municipality whenever petitioned to do so by at least 20
28 percent of the electors of that municipality. The supervisor
29 of elections of the county in which the municipality is
30 located shall certify whether or not the petition contains the
31 signatures of at least 20 percent of the electors of the

hbd-05

Bill No. HB 2433, 1st Eng.

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

1 municipality. After the completion of the audit, the Auditor
 2 General shall determine whether the municipality has the
 3 fiscal resources necessary to pay the cost of the audit. The
 4 municipality shall pay the cost of the audit within 90 days
 5 after the Auditor General's determination that the
 6 municipality has the available resources. If the municipality
 7 fails to pay the cost of the audit, the Department of Revenue
 8 shall, upon certification of the Auditor General, withhold
 9 from that portion of the distribution pursuant to s.
 10 212.20(6)(f)5.municipal financial assistance trust fund for
 11 municipalities which is derived from the cigarette tax imposed
 12 under chapter 210, and which is distributable to such
 13 municipality;a sum sufficient to pay the cost of the audit
 14 and shall deposit that sum into the General Revenue Fund of
 15 the state.

16 Section 30. Effective July 1, 2000, section 200.132,
 17 Florida Statutes, is repealed.

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

21 And the title is amended as follows:

22 On page 5, line 15,

23

24 after the semicolon insert:

25 amending s. 210.20, F.S.; eliminating transfers
 26 of net cigarette tax collections to the
 27 Municipal Financial Assistance Trust Fund and
 28 Revenue Sharing Trust Fund for Municipalities;
 29 amending s. 212.20, F.S.; authorizing a
 30 distribution of proceeds under ch. 212, F.S.,
 31 to the Revenue Sharing Trust Fund for

hbd-05

Bill No. HB 2433, 1st Eng.

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

1 Municipalities; amending s. 288.1169, F.S.;

2 revising a cross reference, to conform;

3 amending s. 11.45, F.S.; revising a reference,

4 to conform; repealing s. 200.132, F.S.,

5 relating to the Municipal Financial Assistance

6 Trust Fund;

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