

By Senator Saunders

25-589-00

See HB 199

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A bill to be entitled
An act relating to transportation local
incentives; providing legislative intent;
providing a funding mechanism; providing a
procedure for the award of matching funds to
qualifying counties that are making a
significant contribution to the overall state
highway system; providing an effective date.

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

Section 1. Local incentives; state matching funds for
local transportation projects.--

(1) It is the finding of the Legislature that:

(a) The development of a county-owned roadway system
that enhances or supports the state highway system is in the
best interests of the citizens of Florida and benefits the
entire statewide transportation system.

(b) County governments which take advantage of local
funding options for transportation are enhancing the statewide
transportation system.

The Legislature further finds and declares that the state
should provide incentives for those counties that are making a
significant contribution to the overall state highway system
by establishing a statewide matching fund program that would
make moneys available from the Department of Transportation to
counties with qualifying projects.

(2) Notwithstanding the provisions of section
215.20(1), Florida Statutes, the service charge provided for
by section 215.20(1), Florida Statutes, which is deducted from

1 the proceeds of the taxes distributed pursuant to sections
2 206.606, 206.608, 206.9845, 207.026, 212.0501, 212.0606,
3 319.32(5), and 320.072(4), Florida Statutes, shall be reduced
4 to 4 percent beginning July 1, 2001.

5 (3) The moneys received annually by the Department of
6 Transportation from the reduction of the service charge
7 provided for in section 215.20(1), Florida Statutes, to 4
8 percent shall be allocated by the Department of Transportation
9 exclusively to provide funds for the local transportation
10 incentive program.

11 (4) Eligible counties may receive matching funds in
12 the percentage amounts as set forth in subsection (11) for the
13 acquisition of right-of-way, construction, design, and
14 engineering of any project within the county, or multiple
15 counties in the case of a joint application for matching funds
16 under this section, that would benefit or enhance the state
17 highway system, as defined in section 338.001, Florida
18 Statutes.

19 (5) Any county requesting matching funds pursuant to
20 this section shall make an application to the Department of
21 Transportation on or before August 1 and the department shall
22 act on such an application within 120 days after receipt of
23 the application by the department. The application shall be
24 on a form developed by the department and shall include, but
25 not be limited to, the basis on which the project undertaken
26 by the county enhances the state highway system, cost
27 estimates for either engineering or construction costs, and a
28 schedule of events, including the design and construction
29 timetable for the project.

30 (6) Nothing contained in the provisions of this
31 section shall prohibit any county from using matching funds on

1 a state highway project and the use of such funds on a state
2 highway project shall be presumed to benefit the state highway
3 system for the purposes of application and qualification under
4 this section.

5 (7) Nothing contained in this section, nor shall any
6 project constructed under the provisions of this section,
7 affect any other funding mechanisms for the county or the
8 local district of the Department of Transportation, and no
9 project funded pursuant to this section shall be substituted
10 for any project included in the 5-year work plan. It is the
11 intent of the Legislature that the incentive program provided
12 for in this section be in addition to the normal funding
13 process for state projects in the county making application
14 under this section.

15 (8) If a project is rejected by the department, such
16 rejection shall be in writing and detailed sufficiently to
17 inform the county as to the basis for such rejection and
18 further shall include language from the department informing
19 the county as to what could make the project acceptable or
20 language which would clearly set forth why the project would
21 never qualify for matching funds under the provisions of this
22 section.

23 (9) The percentage of matching funds available to a
24 particular county for a specific project shall be calculated
25 in accordance with the funding formula set forth in subsection
26 (11) and funding shall be provided based upon this formula.

27 (10) The district secretary for the Department of
28 Transportation for the district in which the applicant resides
29 shall provide a written analysis of the benefit of the project
30 to the state highway system in that Department of
31 Transportation district.

1 (11) Each county which adopts one or more of the local
2 transportation funding options set forth in this section may
3 apply to the Department of Transportation for matching funds.
4 The local transportation funding options to be considered are
5 the 5-cent local option gas tax; the optional 1-cent gas tax;
6 a county sales tax, a portion of which is dedicated to
7 transportation; and ad valorem taxes, a portion of which is
8 dedicated to transportation and transportation impact fees.

9 (a) Counties which have adopted both the 5-cent and
10 the 1-cent local option gas taxes shall receive one point.
11 Counties that have spent during the 2-year period preceding
12 application for matching funds pursuant to this section an
13 average of 0.5 mills of ad valorem tax on transportation shall
14 receive one point and one-quarter point for each mill over
15 0.5. Counties that have dedicated 0.25 percent of their local
16 sales tax revenue to transportation shall receive one point
17 and one half point for each 0.25 percent in additional sales
18 tax revenue. Counties that enforce a transportation impact fee
19 shall receive one-half of one point.

20 (b) All counties that achieve a cumulative score of
21 3.5 by utilization of the four identified local funding
22 options shall receive matching funds of 30 percent on
23 qualifying projects. Counties that exceed the 3.5 cumulative
24 score shall receive 40 percent matching funds. Counties that
25 achieve a cumulative score between 2.0 and 3.49 shall receive
26 20 percent matching funds.

27 (c) Based upon accumulated points, the department
28 shall, after approval of the county's application, notify that
29 county the percentage of matching funds the county shall
30 qualify for and if such funds are available and if the funds
31 are appropriated for the program.

1 (d) Counties may, in the application, submit
2 documentation of other funds spent on transportation projects
3 not specified in the four local funding options identified in
4 this subsection. The department may consider these other
5 funding sources and their associated revenue and assign up to
6 an additional 2 points for purposes of allocating the
7 percentage of matching funds available under this section.

8 (12) In the case of more than one county submitting an
9 application for a joint project, the combined points of the
10 counties so applying will determine the matching amount for
11 the joint project.

12 Section 2. This act shall take effect July 1, 2000.

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LEGISLATIVE SUMMARY

Provides that it is the intent of the Legislature to provide incentives for those counties that are making a significant contribution to the overall state highway system by establishing a state matching fund program that makes moneys available from the Department of Transportation to counties with qualifying projects. Provides a procedure for the application and award of matching funds. See bill for details.