Florida Senate - 2001

By Senator Crist

13-1344-01 A bill to be entitled 1 2 An act relating to the Florida Mobile Home Relocation Trust Fund; creating s. 320.0805, 3 F.S.; creating the Florida Mobile Home 4 5 Relocation Trust Fund; providing for its б purposes; creating the Florida Mobile Home 7 Relocation Corporation; providing for the 8 membership and authority of the corporation; providing for review and termination or 9 re-creation of the trust fund; creating s. 10 11 320.08051, F.S.; providing for the levy of a surcharge on mobile home license taxes; 12 13 amending s. 320.081, F.S.; providing for the collection and distribution of the license tax 14 15 surcharge; providing a contingent effective 16 date. 17 18 Be It Enacted by the Legislature of the State of Florida: 19 20 Section 1. Section 320.0805, Florida Statutes, is 21 created to read: 22 320.0805 Florida Mobile Home Relocation Trust Fund.--23 (1) There is established within the Department of 24 Business and Professional Regulation the Florida Mobile Home Relocation Trust Fund to be used as provided in s. 723.0610, 25 26 and administered by the Florida Mobile Home Relocation 27 Corporation created in subsection (3). All interest earned from the investment or deposit of moneys in the trust fund 28 29 shall be deposited in the trust fund. The trust fund shall be funded from the surcharge collected under s. 320.08051; the 30 31

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1 surcharge collected under s. 723.007; and the moneys collected 2 under s. 723.0610(2). 3 (2) Moneys in the trust fund may be expended only: To pay the cost to administer the Mobile Home 4 (a) 5 Relocation Advisory Board and this trust fund. б (b) To carry out the purposes and objectives of the relocation program set forth in s. 723.0610. 7 8 There is created the Florida Mobile Home (3) Relocation Corporation, a private entity administered by a 9 board of directors made up of six members, three members 10 11 appointed by the Florida Manufactured Housing Association and three members appointed by the Federation of Manufactured Home 12 Owners. The corporation may borrow from private finance 13 sources in order to meet the demands of the relocation program 14 established in s. 723.0610. 15 Section 2. In accordance with Section 19(f)(2), 16 17 Article III of the State Constitution, the Mobile Home Relocation Trust Fund shall, unless terminated sooner, be 18 19 terminated on July 1, 2005. Before its scheduled termination, the trust fund shall be reviewed as provided in section 20 215.3206(1) and (2), Florida Statutes. 21 Section 3. Section 320.08051, Florida Statutes, is 22 created to read: 23 24 320.08051 Surcharge on license tax; Florida Mobile 25 Home Relocation Trust Fund. -- There is levied on each license 26 tax imposed under s. 320.08(11), a surcharge in the amount of 27 \$2, which shall be collected in the same manner as the license tax and shall be deposited into the Florida Mobile Home 28 Relocation Trust Fund. The surcharge shall begin to be 29 30 collected during the first year after this section takes effect. This surcharge may not be imposed during the next year 31

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if the balance in the Florida Mobile Home Relocation Trust 1 Fund exceeds \$10 million. The surcharge shall be reinstated in 2 3 the next year after the balance in the Florida Mobile Home Relocation Trust Fund drops below \$6 million. 4 5 Section 4. Subsections (3), (4), and (5) of section б 320.08, Florida Statutes, are amended to read: 7 320.081 Collection and distribution of annual license 8 tax imposed on the following type units. --9 (3) The owner shall make application for such sticker 10 in the manner provided in s. 320.02, and the tax collectors in 11 the several counties of the state shall collect the license taxes imposed by s. 320.08(10) and (11) and the license tax 12 13 surcharge imposed by s. 320.08051 in the same manner and under 14 the same conditions and requirements as provided in s. 320.03. (4) Each tax collector shall make prompt remittance of 15 all moneys collected by him or her to the department at such 16 17 times and in such manner as provided by law. Upon receipt of the license taxes collected from the tax collectors of the 18 19 several counties, the department shall pay into the State Treasury for deposit in the General Revenue Fund the sum of 20 \$1.50 on each such sticker issued, and shall pay into the 21 22 State Treasury for deposit into the Florida Mobile Home Relocation Trust Fund \$2 on each sticker issued as provided in 23 24 s. 320.08051. The balance remaining shall be paid into a trust 25 fund in the State Treasury designated "License Tax Collection Trust Fund," and the moneys so deposited shall be paid to the 26 respective counties and cities wherein such units governed by 27 28 the provisions of this section are located, regardless of 29 where the license taxes are collected, in the manner hereinafter provided. 30 31

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1	(5) The department shall keep records showing the
1 2	total number of stickers issued to each type unit governed by
3	this section, the total amount of license taxes collected, and
4	the county or city wherein each such unit is located and shall
5	from month to month certify to the Comptroller the amount
6	derived from license taxes in each county and each city within
7	the county. Such amount, less the amount of \$1.50 collected on
, 8	each license and the \$2 license tax surcharge imposed by s.
9	320.08051, shall be paid to the counties and cities within the
10	counties wherein the unit or units are located as follows:
11	one-half to the district school board and the remainder either
12	to the board of county commissioners, for units which are
13	located within the unincorporated areas of the county, or to
14	any city within such county, for units which are located
15	within its corporate limits. Payment shall be by warrant drawn
16	by the Comptroller upon the treasury, which amount is hereby
17	appropriated monthly out of the License Tax Collection Trust
18	Fund.
19	Section 5. This act shall take effect on the effective
20	date of Senate Bill 442, but it shall not take effect unless
21	it is enacted by a three-fifths vote of the membership of each
22	house of the Legislature and unless SB 442, 2001 Regular
23	Session, becomes a law.
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26	SENATE SUMMARY
27	Creates the Florida Mobile Home Relocation Trust Fund to
28	be administered by the Department of Business and Professional Regulation. Provides for review and
29	termination or re-creation of the trust fund. Creates the Florida Mobile Home Relocation Corporation and provides
30	for its membership and authority. Provides for the levy of a surcharge on mobile home license taxes.
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