

Bill No. HB 1981, 2nd Eng.

Amendment No.      Barcode 893732

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Diaz de la Portilla moved the following substitute for  
 12 amendment to amendment (522299):

13  
 14 **Senate Amendment (with title amendment)**

15 On page 1, line 15  
 16  
 17 insert:

18 Section 1. Subsection (5) of section 218.503, Florida  
 19 Statutes, is amended to read:

20 218.503 Determination of financial emergency.--  
 21 (5)(a) The governing authority of any municipality  
 22 with a resident population of 300,000 or more ~~on April 1,~~  
 23 ~~1999, and~~ which has at any time been declared in a state of  
 24 financial emergency pursuant to this section ~~within the~~  
 25 ~~previous 2 fiscal years~~ may impose a discretionary per-vehicle  
 26 surcharge of up to 20 percent on the gross revenues of the  
 27 sale, lease, or rental of space at parking facilities within  
 28 the municipality that are open for use to the general public.  
 29 Consistent with s. 125.015, and to the extent not otherwise  
 30 immune or exempt, employees of the county parking at  
 31 county-owned or operated parking facilities are exempt.

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1 (b) A municipal governing authority that imposes the  
2 surcharge authorized by this subsection may use the proceeds  
3 of such surcharge for the following purposes only:

4 1. No less than 60 percent and no more than 80 percent  
5 of the surcharge proceeds shall be used by the governing  
6 authority to reduce its ad valorem tax millage rate or to  
7 reduce or eliminate non-ad valorem assessments.

8 2. A portion of the balance of the surcharge proceeds  
9 shall be used by the governing authority to increase its  
10 budget reserves; however, the governing authority shall not  
11 reduce the amount it allocates for budget reserves from other  
12 sources below the amount allocated for reserves in the fiscal  
13 year prior to the year in which the surcharge is initially  
14 imposed. When a 15-percent budget reserve is achieved, based  
15 on the average gross revenue for the most recent 3 prior  
16 fiscal years, the remaining proceeds from this subparagraph  
17 shall be used for the payment of annual debt service related  
18 to outstanding obligations backed or secured by a covenant to  
19 budget and appropriate from non-ad valorem revenues.

20 (c)1. As used in this section:

21 a. "Eligible county" means a county that constructs,  
22 reconstructs, renovates, expands, or rehabilitates, directly  
23 or indirectly through turnkey or other contractual  
24 arrangements, a significant new facility on a qualifying site.

25 b. "Qualifying site" means a site located in a  
26 brownfields area designated under s. 376.80 that is owned by  
27 an eligible county and is within the boundaries of a  
28 municipality.

29 c. "Significant new facility" means a real property  
30 improvement on a qualifying site that has a regional impact  
31 and meets the following requirements:

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1           (I) It is owned by a county or municipality, subject  
2 to a determination of property tax immunity, and leased to,  
3 licensed to, or operated by a private, for-profit entity for  
4 the purpose of operating a business therefrom for a period of  
5 not less than 30 years.

6           (II) It has a projected cost for construction,  
7 reconstruction, renovation, expansion, or rehabilitation of  
8 the facility and acquisition and remediation of the qualifying  
9 site of not less than \$300 million, of which not less than \$50  
10 million, over the term of the lease, license, or operation,  
11 will be contributed by the private entity, which contribution  
12 may be in the form of payments in lieu of taxes, ground lease  
13 rent, license fees, rents, and other charges, including,  
14 without limitation, annual payments pledged to finance the  
15 construction of the facility.

16           (III) It has been proposed, in a report submitted to  
17 the eligible county by a qualified economist, that the  
18 facility will have an annual economic impact of not less than  
19 \$100 million over the term of the lease, license, or operation  
20 and will create not less than 1,500 jobs over the same period.

21           d. "Cost," with respect to the qualifying site and  
22 significant new facility, has the same meaning as provided in  
23 s. 190.003(7).

24           (d)1. Unless a municipality extends this subsection  
25 pursuant to subparagraphs 2. and 3., this subsection is  
26 repealed on June 30, 2006.

27           2. A referendum shall be held at the next general  
28 election with respect to a municipality that has previously  
29 imposed a surcharge pursuant to paragraph (a), or within 90  
30 days after any municipality becomes eligible to impose a  
31 surcharge pursuant to paragraph (a), in any municipality

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1 imposing the surcharge authorized in this subsection. With  
2 respect to a municipality that has previously imposed a  
3 surcharge pursuant to paragraph (a), the subject of the  
4 referendum shall be the extension of the repeal date of the  
5 surcharge to June 30, 2046, and an extension of the uses of  
6 surcharge proceeds. A statement that includes a brief general  
7 description of the additional uses of the surcharge proceeds  
8 shall be placed on the ballot.

9 3. If a majority of the electors of the municipality  
10 voting on this question in the election approve the imposition  
11 of the surcharge or extension of the repeal date and if  
12 construction of a significant new facility is commenced by  
13 June 30, 2006, on a qualifying site, this subsection shall be  
14 repealed June 30, 2046. Notwithstanding the provisions of  
15 paragraph (b), if an extension is approved pursuant to this  
16 subparagraph, the funds generated by the surcharge shall be  
17 distributed as specified in paragraph (e).

18 (e) Effective January 1, 2005, 33 1/3 percent of the  
19 surcharge proceeds shall be remitted to the eligible county  
20 and expended as provided in paragraph (f). The remaining  
21 proceeds shall be retained by the municipal governing  
22 authority, which shall expend the proceeds pursuant to  
23 paragraph (h). However, beginning January 1, 2007, the payment  
24 to the eligible county shall not in any fiscal year be less  
25 than the amount remitted to an eligible county in the  
26 preceding fiscal year and, for the purpose of assuring the  
27 remittances, the proceeds received by the municipality in the  
28 last three months of each fiscal year shall be held and  
29 remitted on the last day of the fiscal year so that the  
30 eligible county will receive no less than the amount remitted  
31 in the preceding fiscal year.

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1           (f) An eligible county that receives proceeds from the  
2 surcharge may utilize them to construct, reconstruct,  
3 renovate, expand, or rehabilitate, directly or indirectly  
4 through turnkey or other contractual arrangements, a  
5 significant new facility on a qualifying site in the manner  
6 provided in this paragraph.

7           1. An eligible county may use funds provided pursuant  
8 to this paragraph only for the public purpose of paying debt  
9 service on bonds or other obligations issued to finance the  
10 costs of acquisition, site preparation, infrastructure  
11 development, construction, reconstruction, renovation,  
12 expansion, or rehabilitation of the qualifying site and  
13 significant new facility to be located thereon, or for the  
14 costs of infrastructure and other improvements outside the  
15 boundaries of the qualifying site but which are necessary or  
16 helpful to the development or operation of the facility, or  
17 for reimbursement of such costs, and the costs incurred by it  
18 to remediate the qualifying site.

19           2. If in any fiscal year the funds provided pursuant  
20 to this paragraph exceed the amounts necessary in that fiscal  
21 year to pay the costs related to the significant new facility  
22 and the qualifying site pursuant to this subsection and to pay  
23 the debt service on bonds or other obligations issued to  
24 finance or refinance such costs, the excess funds shall be  
25 used to fund required reserves.

26           (g) An eligible county must take affirmative measures  
27 to ensure that procurement related to the planning, design,  
28 construction, building, maintenance, and operation of the  
29 significant new facility contracting is reflective of the  
30 racial and ethnic makeup of the community.

31           (h) Of the funds remaining after the distributions to

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1 the eligible county required in paragraph (e), \$1 million  
2 shall be distributed to a not-for-profit economic development  
3 trust in an eligible county, which shall use the funds for  
4 primary learning centers in blighted urbanized areas,  
5 brownfield redevelopment, and economic development, which  
6 amount shall adjust upwards or downwards at the same  
7 percentage as the increase or decrease in the surcharge  
8 overall. Of the remaining funds thereafter, not less than 60  
9 percent and not more than 80 percent shall be used by the  
10 governing authority to reduce its ad valorem tax millage rate  
11 or to reduce or eliminate non-ad valorem assessments and no  
12 less than ten 10 percent and no more than 20 percent shall be  
13 allocated for infrastructure improvements and be used in the  
14 downtown/urban core areas, industrial areas, suburban areas,  
15 or other areas from where the facilities are located that  
16 generate the funds. Areas shall be defined consistent with  
17 Florida Statutes and local law.

18 1. A downtown/urban area shall be coterminous with any  
19 Downtown Development District established pursuant to section  
20 166.0497, Florida Statutes, or chapter 65-1090, Laws of  
21 Florida or to any Community Redevelopment Agency established  
22 pursuant to section 163.356, Florida Statutes. Alternatively,  
23 any eligible local governmental entity may identify the  
24 downtown/urban core area as any contiguous area consisting of  
25 lands where the predominant acreage is designated as  
26 commercial or its substantial equivalent, in an applicable  
27 local government comprehensive plan.

28 2. An industrial area is any contiguous area  
29 consisting of lands where the predominant acreage is  
30 designated industrial or its substantial equivalent in an  
31 applied local government comprehensive plan.

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1           3. A suburban area is any contiguous area consisting  
2 of lands where the predominant acreage is designated  
3 residential or its substantial equivalent in an applicable  
4 local government comprehensive plan.

5  
6 Any number of areas may be used by the local governmental  
7 entity, provided that the areas are defined by ordinance and  
8 Florida law and include all parking facilities subject to the  
9 surcharge.

10           Section 2. Section 376.84, Florida Statutes, is  
11 amended to read:

12           376.84 Brownfield redevelopment economic  
13 incentives.--It is the intent of the Legislature that  
14 brownfield redevelopment activities be viewed as opportunities  
15 to significantly improve the utilization, general condition,  
16 and appearance of these sites. Different standards than those  
17 in place for new development, as allowed under current state  
18 and local laws, should be used to the fullest extent to  
19 encourage the redevelopment of a brownfield. State and local  
20 governments are encouraged to offer redevelopment incentives  
21 for this purpose, as an ongoing public investment in  
22 infrastructure and services, to help eliminate the public  
23 health and environmental hazards, and to promote the creation  
24 of jobs in these areas. Such incentives may include  
25 financial, regulatory, and technical assistance to persons and  
26 businesses involved in the redevelopment of the brownfield  
27 pursuant to this act. The Legislature further recognizes that,  
28 in communities impacted by local government financial  
29 emergencies, local government resources are strained and  
30 incentives to encourage the development, use, redevelopment,  
31 or reuse by local government of brownfield areas designated

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1 under s. 376.80 are particularly needed.

2 (1) Financial incentives and local incentives for  
3 redevelopment may include, but not be limited to:

4 (a) Tax increment financing through community  
5 redevelopment agencies pursuant to part III of chapter 163.

6 (b) Enterprise zone tax exemptions for businesses  
7 pursuant to chapters 196 and 290.

8 (c) Safe neighborhood improvement districts as  
9 provided in ss. 163.501-163.523.

10 (d) Waiver, reduction, or limitation by line of  
11 business with respect to occupational license taxes pursuant  
12 to chapter 205.

13 (e) Tax exemption for historic properties as provided  
14 in s. 196.1997.

15 (f) Residential electricity exemption of up to the  
16 first 500 kilowatts of use may be exempted from the municipal  
17 public service tax pursuant to s. 166.231.

18 (g) Minority business enterprise programs as provided  
19 in s. 287.0943.

20 (h) Electric and gas tax exemption as provided in s.  
21 166.231(6).

22 (i) Economic development tax abatement as provided in  
23 s. 196.1995.

24 (j) Grants, including community development block  
25 grants.

26 (k) Pledging of revenues to secure bonds.

27 (l) Low-interest revolving loans and zero-interest  
28 loan pools.

29 (m) Local grant programs for facade, storefront,  
30 signage, and other business improvements.

31 (n) Governmental coordination of loan programs with



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1 lenders, such as microloans, business reserve fund loans,  
2 letter of credit enhancements, gap financing, land lease and  
3 sublease loans, and private equity.

4 (o) Payment schedules over time for payment of fees,  
5 within criteria, and marginal cost pricing.

6 (p) The sales tax rebate established for an eligible  
7 county with a significant new facility on a qualifying site  
8 under subsection (4).

9 (2) Regulatory incentives may include, but not be  
10 limited to:

11 (a) Cities' absorption of developers' concurrency  
12 needs.

13 (b) Developers' performance of certain analyses.

14 (c) Exemptions and lessening of state and local review  
15 requirements.

16 (d) Water and sewer regulatory incentives.

17 (e) Waiver of transportation impact fees and permit  
18 fees.

19 (f) Zoning incentives to reduce review requirements  
20 for redevelopment changes in use and occupancy; establishment  
21 of code criteria for specific uses; and institution of credits  
22 for previous use within the area.

23 (g) Flexibility in parking standards and buffer zone  
24 standards.

25 (h) Environmental management through specific code  
26 criteria and conditions allowed by current law.

27 (i) Maintenance standards and activities by ordinance  
28 and otherwise, and increased security and crime prevention  
29 measures available through special assessments.

30 (j) Traffic-calming measures.

31 (k) Historic preservation ordinances, loan programs,

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1 and review and permitting procedures.

2 (1) One-stop permitting and streamlined development  
3 and permitting process.

4 (3) Technical assistance incentives may include, but  
5 not be limited to:

6 (a) Expedited development applications.

7 (b) Formal and informal information on business  
8 incentives and financial programs.

9 (c) Site design assistance.

10 (d) Marketing and promotion of projects or areas.

11 (4)(a) Effective July 1, 2006, the governing board of  
12 an eligible county which constructs, reconstructs, renovates,  
13 expands, or rehabilitates, either directly or indirectly  
14 through turnkey or other contractual arrangements, a  
15 significant new facility on a qualifying site shall be  
16 entitled to receive sales tax rebates pursuant to s.  
17 212.20(6)(e)7.e. in the manner provided in this subsection.

18 (b) For purposes of this subsection:

19 1. "Eligible county" means a county which constructs,  
20 reconstructs, renovates, expands, or rehabilitates, either  
21 directly or through turnkey or similar contractual  
22 arrangements, a significant new facility on a qualifying site.

23 2. "Qualifying site" means a site located in a  
24 brownfield area designated under s. 376.80 that is owned by an  
25 eligible county and is within the boundaries of a local  
26 government impacted by a financial emergency.

27 3. "Local government impacted by a financial  
28 emergency" means a county or municipality that has a resident  
29 population of 300,000 or more and that has been declared in a  
30 state of financial emergency pursuant to part V of chapter 218  
31 at any time preceding the date on which construction of a

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1 significant new facility commences.

2 4. "Significant new facility" means a real property  
3 improvement on a qualifying site as defined in s. 218.503.

4 5. "Cost," with respect to the qualifying site and  
5 significant new facility, shall have the same meaning as  
6 provided by s. 190.003(7).

7 6. "Department" means the Department of Revenue.

8 (c) The governing authority of an eligible county  
9 shall notify the department in writing of its eligibility to  
10 receive the sales tax rebate provided for by this subsection  
11 and shall accompany such notice with:

12 1. Evidence that the significant new facility will be  
13 located on a qualifying site.

14 2. Copies, certified by the clerk of the eligible  
15 county as true and correct copies, of fully executed  
16 construction contracts and other contractual arrangements  
17 evidencing that the projected cost of the construction,  
18 reconstruction, renovation, expansion, or rehabilitation of  
19 the significant new facility and acquisition and remediation  
20 of the qualifying site on which it is located exceeds \$300  
21 million, of which not less than \$50 million will be  
22 contributed by the private lessee, licensee, or operator in  
23 the manner described in s. 218.503(5)(c)1.c.(II).

24 3. The fully executed agreement evidencing that the  
25 facility has been leased to, licensed to, or is to be operated  
26 by a private, for-profit entity for a period of not less than  
27 30 years after the date of the notice.

28 (d) The department shall certify an eligible county  
29 within 90 days after its receipt of the notice required by  
30 paragraph (c). The department has the authority to adopt rules  
31 to implement the provisions of this subsection.

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1           (e) An eligible county may use funds provided pursuant  
2 to s. 212.20(6)(e)7.e. only for the public purpose of paying  
3 for, or pledging as security for or paying debt service on  
4 bonds or other obligations issued to finance, the costs of  
5 acquisition, site preparation, infrastructure development,  
6 construction, reconstruction, renovation, expansion, or  
7 rehabilitation of the qualifying site and significant new  
8 facility to be located thereon, or for the costs of  
9 infrastructure and other improvements outside the boundaries  
10 of the qualifying site but which are necessary or helpful to  
11 the development or operation of the significant new facility,  
12 or for reimbursement of any such costs, and for the costs  
13 incurred by it to remediate the qualifying site. An eligible  
14 county must ensure that procurement related to the planning,  
15 design, construction, building, maintenance, and operation of  
16 the significant new facility contracting is reflective of the  
17 racial and ethnic makeup of the community. In the event that,  
18 in any fiscal year of an eligible county, the funds provided  
19 pursuant to s. 212.20(6)(e)7.e. are in excess of the amount  
20 necessary in such fiscal year to pay the costs related to the  
21 significant new facility and qualifying site as authorized in  
22 this subsection and to pay debt service on bonds or other  
23 obligations related only to the costs of the bonds for  
24 construction of the significant new facility issued to finance  
25 or refinance all or any part of such costs, such excess funds  
26 shall be applied toward or set aside for the redemption or  
27 repayment of any such bonds.

28           (f) The amount of the sales tax rebate pursuant to s.  
29 212.20(6)(e)7.e. to be provided to an eligible county  
30 certified pursuant to this section shall be computed annually  
31 and shall be equal to the sales tax imposed under chapter 212

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1 attributable to that portion of the sales price as defined in  
2 chapter 212 that is the surcharge imposed pursuant to s.  
3 218.503 by a local government impacted by financial emergency,  
4 but excluding discretionary sales surtaxes authorized under s.  
5 212.055.

6 (g) The state does hereby covenant with the holders of  
7 bonds or other obligations or contractual commitments secured  
8 by or payable from the proceeds of the sales tax rebate  
9 authorized by this subsection that it will not repeal or  
10 impair, or amend in any manner which will materially and  
11 adversely affect the rights of such holders, the sales tax  
12 rebate provided by this subsection and s. 212.20(6)(e)7.e.;  
13 however, the annual rebate amount may increase or decrease  
14 based on the rebate computation provided by paragraph (f).

15 Section 3. Paragraph (e) of subsection (6) of section  
16 212.20, Florida Statutes, is amended to read:

17 212.20 Funds collected, disposition; additional powers  
18 of department; operational expense; refund of taxes  
19 adjudicated unconstitutionally collected.--

20 (6) Distribution of all proceeds under this chapter  
21 shall be as follows:

22 (e) The proceeds of all other taxes and fees imposed  
23 pursuant to this chapter shall be distributed as follows:

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

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

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1           3. After the distribution under subparagraphs 1. and  
2 2., 9.653 percent of the amount remitted by a sales tax dealer  
3 located within a participating county pursuant to s. 218.61  
4 shall be transferred into the Local Government Half-cent Sales  
5 Tax Clearing Trust Fund.

6           4. After the distribution under subparagraphs 1., 2.,  
7 and 3., 0.065 percent shall be transferred to the Local  
8 Government Half-cent Sales Tax Clearing Trust Fund and  
9 distributed pursuant to s. 218.65.

10           5. For proceeds received after July 1, 2000, and after  
11 the distributions under subparagraphs 1., 2., 3., and 4., 2.25  
12 percent of the available proceeds pursuant to this paragraph  
13 shall be transferred monthly to the Revenue Sharing Trust Fund  
14 for Counties pursuant to s. 218.215.

15           6. For proceeds received after July 1, 2000, and after  
16 the distributions under subparagraphs 1., 2., 3., and 4.,  
17 1.0715 percent of the available proceeds pursuant to this  
18 paragraph shall be transferred monthly to the Revenue Sharing  
19 Trust Fund for Municipalities pursuant to s. 218.215. If the  
20 total revenue to be distributed pursuant to this subparagraph  
21 is at least as great as the amount due from the Revenue  
22 Sharing Trust Fund for Municipalities and the Municipal  
23 Financial Assistance Trust Fund in state fiscal year  
24 1999-2000, no municipality shall receive less than the amount  
25 due from the Revenue Sharing Trust Fund for Municipalities and  
26 the Municipal Financial Assistance Trust Fund in state fiscal  
27 year 1999-2000. If the total proceeds to be distributed are  
28 less than the amount received in combination from the Revenue  
29 Sharing Trust Fund for Municipalities and the Municipal  
30 Financial Assistance Trust Fund in state fiscal year  
31 1999-2000, each municipality shall receive an amount

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1 proportionate to the amount it was due in state fiscal year  
2 1999-2000.

3 7. Of the remaining proceeds:

4 a. Beginning July 1, 2000, and in each fiscal year  
5 thereafter, the sum of \$29,915,500 shall be divided into as  
6 many equal parts as there are counties in the state, and one  
7 part shall be distributed to each county. The distribution  
8 among the several counties shall begin each fiscal year on or  
9 before January 5th and shall continue monthly for a total of 4  
10 months. If a local or special law required that any moneys  
11 accruing to a county in fiscal year 1999-2000 under the  
12 then-existing provisions of s. 550.135 be paid directly to the  
13 district school board, special district, or a municipal  
14 government, such payment shall continue until such time that  
15 the local or special law is amended or repealed. The state  
16 covenants with holders of bonds or other instruments of  
17 indebtedness issued by local governments, special districts,  
18 or district school boards prior to July 1, 2000, that it is  
19 not the intent of this subparagraph to adversely affect the  
20 rights of those holders or relieve local governments, special  
21 districts, or district school boards of the duty to meet their  
22 obligations as a result of previous pledges or assignments or  
23 trusts entered into which obligated funds received from the  
24 distribution to county governments under then-existing s.  
25 550.135. This distribution specifically is in lieu of funds  
26 distributed under s. 550.135 prior to July 1, 2000.

27 b. The department shall distribute \$166,667 monthly  
28 pursuant to s. 288.1162 to each applicant that has been  
29 certified as a "facility for a new professional sports  
30 franchise" or a "facility for a retained professional sports  
31 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be

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1 distributed monthly by the department to each applicant that  
2 has been certified as a "facility for a retained spring  
3 training franchise" pursuant to s. 288.1162; however, not more  
4 than \$208,335 may be distributed monthly in the aggregate to  
5 all certified facilities for a retained spring training  
6 franchise. Distributions shall begin 60 days following such  
7 certification and shall continue for not more than 30 years.  
8 Nothing contained in this paragraph shall be construed to  
9 allow an applicant certified pursuant to s. 288.1162 to  
10 receive more in distributions than actually expended by the  
11 applicant for the public purposes provided for in s.  
12 288.1162(6). However, a certified applicant is entitled to  
13 receive distributions up to the maximum amount allowable and  
14 undistributed under this section for additional renovations  
15 and improvements to the facility for the franchise without  
16 additional certification.

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

23 d. Beginning 30 days after notice by the Office of  
24 Tourism, Trade, and Economic Development to the Department of  
25 Revenue that the applicant has been certified as the  
26 International Game Fish Association World Center facility  
27 pursuant to s. 288.1169, and the facility is open to the  
28 public, \$83,333 shall be distributed monthly, for up to 168  
29 months, to the applicant. This distribution is subject to  
30 reduction pursuant to s. 288.1169. A lump sum payment of  
31 \$999,996 shall be made, after certification and before July 1,



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1 2000.

2 e. Beginning 30 days after an eligible county has been  
 3 certified pursuant to s. 376.84(4)(d), an amount equal to the  
 4 sales tax rebate calculated pursuant to s. 376.84(4)(f) shall  
 5 be distributed each year on a monthly basis to the eligible  
 6 county.

7 8. All other proceeds shall remain with the General  
 8 Revenue Fund.

9 Section 4. If section 35 of chapter 2000-260, Laws of  
 10 Florida, is not repealed by section 58 of said chapter, then,  
 11 effective October 1, 2001, paragraph (e) of subsection (6) of  
 12 section 212.20, Florida Statutes, as amended by section 35 of  
 13 chapter 2000-260, Laws of Florida, is amended to read:

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

17 (6) Distribution of all proceeds under this chapter  
 18 and s. 202.18(1)(b) and (2)(b) shall be as follows:

19 (e) The proceeds of all other taxes and fees imposed  
 20 pursuant to this chapter or remitted pursuant to s.  
 21 202.18(1)(b) and (2)(b) shall be distributed as follows:

22 1. In any fiscal year, the greater of \$500 million,  
 23 minus an amount equal to 4.6 percent of the proceeds of the  
 24 taxes collected pursuant to chapter 201, or 5 percent of all  
 25 other taxes and fees imposed pursuant to this chapter or  
 26 remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be  
 27 deposited in monthly installments into the General Revenue  
 28 Fund.

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

31 3. After the distribution under subparagraphs 1. and

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1 2., 9.653 percent of the amount remitted by a sales tax dealer  
2 located within a participating county pursuant to s. 218.61  
3 shall be transferred into the Local Government Half-cent Sales  
4 Tax Clearing Trust Fund.

5 4. After the distribution under subparagraphs 1., 2.,  
6 and 3., 0.065 percent shall be transferred to the Local  
7 Government Half-cent Sales Tax Clearing Trust Fund and  
8 distributed pursuant to s. 218.65.

9 5. For proceeds received after July 1, 2000, and after  
10 the distributions under subparagraphs 1., 2., 3., and 4., 2.25  
11 percent of the available proceeds pursuant to this paragraph  
12 shall be transferred monthly to the Revenue Sharing Trust Fund  
13 for Counties pursuant to s. 218.215.

14 6. For proceeds received after July 1, 2000, and after  
15 the distributions under subparagraphs 1., 2., 3., and 4.,  
16 1.0715 percent of the available proceeds pursuant to this  
17 paragraph shall be transferred monthly to the Revenue Sharing  
18 Trust Fund for Municipalities pursuant to s. 218.215. If the  
19 total revenue to be distributed pursuant to this subparagraph  
20 is at least as great as the amount due from the Revenue  
21 Sharing Trust Fund for Municipalities and the Municipal  
22 Financial Assistance Trust Fund in state fiscal year  
23 1999-2000, no municipality shall receive less than the amount  
24 due from the Revenue Sharing Trust Fund for Municipalities and  
25 the Municipal Financial Assistance Trust Fund in state fiscal  
26 year 1999-2000. If the total proceeds to be distributed are  
27 less than the amount received in combination from the Revenue  
28 Sharing Trust Fund for Municipalities and the Municipal  
29 Financial Assistance Trust Fund in state fiscal year  
30 1999-2000, each municipality shall receive an amount  
31 proportionate to the amount it was due in state fiscal year

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1 1999-2000.

2 7. Of the remaining proceeds:

3 a. Beginning July 1, 2000, and in each fiscal year  
4 thereafter, the sum of \$29,915,500 shall be divided into as  
5 many equal parts as there are counties in the state, and one  
6 part shall be distributed to each county. The distribution  
7 among the several counties shall begin each fiscal year on or  
8 before January 5th and shall continue monthly for a total of 4  
9 months. If a local or special law required that any moneys  
10 accruing to a county in fiscal year 1999-2000 under the  
11 then-existing provisions of s. 550.135 be paid directly to the  
12 district school board, special district, or a municipal  
13 government, such payment shall continue until such time that  
14 the local or special law is amended or repealed. The state  
15 covenants with holders of bonds or other instruments of  
16 indebtedness issued by local governments, special districts,  
17 or district school boards prior to July 1, 2000, that it is  
18 not the intent of this subparagraph to adversely affect the  
19 rights of those holders or relieve local governments, special  
20 districts, or district school boards of the duty to meet their  
21 obligations as a result of previous pledges or assignments or  
22 trusts entered into which obligated funds received from the  
23 distribution to county governments under then-existing s.  
24 550.135. This distribution specifically is in lieu of funds  
25 distributed under s. 550.135 prior to July 1, 2000.

26 b. The department shall distribute \$166,667 monthly  
27 pursuant to s. 288.1162 to each applicant that has been  
28 certified as a "facility for a new professional sports  
29 franchise" or a "facility for a retained professional sports  
30 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be  
31 distributed monthly by the department to each applicant that

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1 has been certified as a "facility for a retained spring  
2 training franchise" pursuant to s. 288.1162; however, not more  
3 than \$208,335 may be distributed monthly in the aggregate to  
4 all certified facilities for a retained spring training  
5 franchise. Distributions shall begin 60 days following such  
6 certification and shall continue for not more than 30 years.  
7 Nothing contained in this paragraph shall be construed to  
8 allow an applicant certified pursuant to s. 288.1162 to  
9 receive more in distributions than actually expended by the  
10 applicant for the public purposes provided for in s.  
11 288.1162(6). However, a certified applicant is entitled to  
12 receive distributions up to the maximum amount allowable and  
13 undistributed under this section for additional renovations  
14 and improvements to the facility for the franchise without  
15 additional certification.

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

22 d. Beginning 30 days after notice by the Office of  
23 Tourism, Trade, and Economic Development to the Department of  
24 Revenue that the applicant has been certified as the  
25 International Game Fish Association World Center facility  
26 pursuant to s. 288.1169, and the facility is open to the  
27 public, \$83,333 shall be distributed monthly, for up to 168  
28 months, to the applicant. This distribution is subject to  
29 reduction pursuant to s. 288.1169. A lump sum payment of  
30 \$999,996 shall be made, after certification and before July 1,  
31 2000.

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1           e. Beginning 30 days after an eligible county has been  
2 certified pursuant to s. 376.84(4)(d), an amount equal to the  
3 sales tax rebate calculated pursuant to s. 376.84(4)(f) shall  
4 be distributed each year on a monthly basis to the eligible  
5 county.

6           8. All other proceeds shall remain with the General  
7 Revenue Fund.

8           Section 5. Section 186.5053, Florida Statutes, is  
9 created to read:

10           186.5053 South Florida Regional Planning Council  
11 responsibilities.--Pursuant to s. 186.505, the South Florida  
12 Regional Planning Council is authorized to undertake  
13 responsibilities delegated and prescribed by federal and state  
14 government, and its member units of local government, as well  
15 as activities agreed to through multiparty and  
16 intergovernmental voluntary agreements such as, but not  
17 limited to, activities related to site rehabilitation at  
18 brownfield sites within designated brownfield areas pursuant  
19 to chapter 376, subject to the Department of Environmental  
20 Protection's approval of all environmental regulatory  
21 decisions at the sites; activities agreed to by the Eastward  
22 Ho! Brownfields Partnership; activities agreed to by the Clean  
23 Cities Coalition; and activities agreed to in the South Dade  
24 Watershed memorandum of understanding.

25           Section 6. It is the intent of the Legislature that  
26 the provisions of this act are severable. If any provision of  
27 this act is held invalid, the remaining provisions shall  
28 survive.

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

2 And the title is amended as follows:

3 On page 97, line 16 remove all of said line

4

5 and insert:

6 An act relating to taxation; amending s.  
7 218.503, F.S.; providing that certain  
8 municipalities that have been declared in a  
9 state of financial emergency may impose a  
10 per-vehicle surcharge on revenues from the sale  
11 or rental of space at parking facilities;  
12 providing exemptions; revising a requirement  
13 relating to such municipalities' population;  
14 amending the future repeal of such provisions  
15 to allow for an extension of the repeal date by  
16 referendum in such municipalities; providing  
17 for uses of proceeds under such extension;  
18 providing definitions; providing ballot  
19 language; amending s. 376.84, F.S.; providing  
20 definitions; providing that a county that  
21 constructs, renovates, or expands a significant  
22 new facility on a qualifying brownfield site is  
23 entitled to a sales tax rebate if the facility  
24 is leased to, licensed to, or operated by a  
25 private entity; providing requirements with  
26 respect thereto; requiring such county to  
27 submit certain information to the Department of  
28 Revenue; providing for certification of the  
29 county by the department; providing for rules;  
30 providing for use of the rebate funds;  
31 providing requirements with respect to certain

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1 excess funds; providing for computation of the  
2 amount of the rebate; amending s. 212.20,  
3 F.S.; providing for distribution of the sales  
4 tax rebate to such counties; creating s.  
5 186.5053, F.S.; authorizing the South Florida  
6 Regional Planning Council to undertake certain  
7 responsibilities and activities; providing for  
8 severability;  
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