Bill No. <u>CS for CS for SB 1610</u>

Amendment No. ___   Barcode 300214

CHAMBER ACTION

<u>Senate</u>   <u>House</u>

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11 Senator Pruitt moved the following amendment:

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

14   On page 9, line 1, through

15   page 10, line 27, delete those lines

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17 and insert:

18   Section 7. Paragraph (j) of subsection (3) and

19 subsections (4) and (6) of section 337.401, Florida Statutes,

20 are amended to read:

21   337.401 Use of right-of-way for utilities subject to

22 regulation; permit; fees.--

23   (3)

24   (j) Pursuant to this paragraph, any county or

25 municipality may by ordinance change either its election made

26 on or before July 16, 2001, under paragraph (c) or an election

27 made under this paragraph.

28   1.a. If a municipality or charter county changes its

29 election under this paragraph in order to exercise its

30 authority to require and collect permit fees in accordance

31 with this subsection, the rate of the local communications

1 services tax imposed by such jurisdiction pursuant to ss.
2 202.19 and 202.20 shall automatically be reduced by the sum of
3 0.12 percent plus the percentage, if any, by which such rate
4 was increased pursuant to sub-subparagraph (c)1.b.
5   b. If a municipality or charter county changes its
6 election under this paragraph in order to discontinue
7 requiring and collecting permit fees, the rate of the local
8 communications services tax imposed by such jurisdiction
9 pursuant to ss. 202.19 and 202.20 may be increased by
10 ordinance or resolution by an amount not to exceed 0.24
11 percent.
12   2.a. If a noncharter county changes its election under
13 this paragraph in order to exercise its authority to require
14 and collect permit fees in accordance with this subsection,
15 the rate of the local communications services tax imposed by
16 such jurisdiction pursuant to ss. 202.19 and 202.20 shall
17 automatically be reduced by the percentage, if any, by which
18 such rate was increased pursuant to sub-subparagraph (c)2.b.
19   b. If a noncharter county changes its election under
20 this paragraph in order to discontinue requiring and
21 collecting permit fees, the rate of the local communications
22 services tax imposed by such jurisdiction pursuant to ss.
23 202.19 and 202.20 may be increased by ordinance or resolution
24 by an amount not to exceed 0.24 percent.
25   3.a. Any change of election pursuant to this paragraph
26 and any tax rate change resulting from such change of election
27 shall be subject to the notice requirements of s. 202.21;
28 however, no such change of election shall become effective
29 prior to January 1, 2003.
30   b. Any county or municipality changing its election
31 under this paragraph in order to exercise its authority to

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1 require and collect permit fees shall, in addition to
2 complying with the notice requirements under s. 202.21,
3 provide to all dealers providing communications services in
4 such jurisdiction written notice of such change of election by
5 <u>September</u> ~~July~~ 1 immediately preceding the January 1 on which
6 such change of election becomes effective. For purposes of
7 this sub-subparagraph, dealers providing communications
8 services in such jurisdiction shall include every dealer
9 reporting tax to such jurisdiction pursuant to s. 202.37 on
10 the return required under s. 202.27 to be filed on or before
11 the 20th day of May immediately preceding the January 1 on
12 which such change of election becomes effective.
13   (4) As used in this section, "communications services"
14 <u>and "dealer" have</u> ~~has~~ the same meaning ascribed in chapter
15 202, and "cable service" has the same meaning ascribed in 47
16 U.S.C. s. 522, as amended.
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19 ================ T I T L E A M E N D M E N T ===============
20 And the title is amended as follows:
21   On page 1, line 29, after the first semicolon,
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23 insert:
24   defining the term "dealer";
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