

By the Committee on Comprehensive Planning

316-1812A-03

1 A bill to be entitled
 2 An act relating to the use of revenue-sharing
 3 funds; amending s. 218.25, F.S.; authorizing
 4 counties and municipalities to use
 5 revenue-sharing moneys received in excess of
 6 certain guaranteed entitlements as a pledge for
 7 local indebtedness for infrastructure; defining
 8 the term "infrastructure" for purposes of the
 9 act; providing an effective date.

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

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13 Section 1. Subsection (1) of section 218.25, Florida
 14 Statutes, is amended, and subsection (4) is added to that
 15 section, to read:

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17 218.25 Limitation of shared funds; holders of bonds
 18 protected; limitation on use of second guaranteed entitlement
 19 for counties.--

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21 (1) Except as provided in subsections ~~subsection~~ (2)
 22 and (4) ~~with respect to the second guaranteed entitlement for~~
 23 ~~counties~~, local governments may ~~shall~~ not use any portion of
 24 the moneys received in excess of the guaranteed entitlement
 25 from the revenue sharing trust funds created by this part to
 26 assign, pledge, or set aside as a trust for the payment of
 27 principal or interest on bonds, tax anticipation certificates,
 28 or any other form of indebtedness, and, except as provided in
 29 this section, there may not ~~shall~~ be any ~~no~~ other use
 30 restriction on revenues shared pursuant to this part. The
 31 state does hereby covenant with holders of bonds or other
 instruments of indebtedness issued by local governments prior
 to July 1, 1972, that it is not the intent of this part to

1 affect adversely the rights of said holders or to relieve
2 local governments of the duty to meet their obligations as a
3 result of previous pledges or assignments or trusts entered
4 into which obligated funds received from revenue sources which
5 by terms of this part shall henceforth be distributed out of
6 the revenue sharing trust funds.

7 (4) Municipalities may use up to 50 percent of the
8 moneys received in excess of the guaranteed entitlement, and
9 counties may use up to 50 percent of the moneys received in
10 excess of the second guaranteed entitlement, from the
11 revenue-sharing trust funds created by this part to assign,
12 pledge, or set aside as a trust for the payment of principal
13 or interest on bonds, tax anticipation certificates, or any
14 other form of indebtedness for infrastructure. The term
15 "infrastructure" means any fixed-capital-outlay expenditure or
16 fixed capital cost associated with the construction,
17 reconstruction, or improvement of public facilities that have
18 a life expectancy of 5 or more years and with any land
19 acquisition, improvement, design, or engineering costs related
20 thereto.

21 Section 2. This act shall take effect upon becoming a
22 law.

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25 SENATE SUMMARY

26 Authorizes counties and municipalities to use
27 revenue-sharing funds received in excess of certain
28 guaranteed entitlements as a pledge for local
29 indebtedness for the payment of principal and interest on
30 bonds and other forms of indebtedness for constructing or
31 improving infrastructure. (See bill for details.)