



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

A bill to be entitled

An act relating to the excise tax on documents; amending s. 201.15, F.S.; eliminating distributions to various trust funds of proceeds of the excise tax on documents; redirecting the tax proceeds to the General Revenue Fund; amending s. 161.091, F.S., relating to a use of the Ecosystem Management and Restoration Trust Fund, to conform; repealing s. 161.05301, F.S., relating to beach erosion control project staffing and an appropriation to the Ecosystem Management and Restoration Trust Fund, to conform; amending s. 201.0205, F.S., relating to eligibility to participate in programs funded from the documentary stamp tax, to conform; amending s. 259.032, F.S., relating to sources of funding for the Conservation and Recreation Lands Trust Fund, to conform; amending s. 369.252, F.S., relating to a use of the Invasive Plant Control Trust Fund, to conform; amending s. 370.0603, F.S., relating to uses of the Marine Resources Conservation Trust Fund, to conform; amending s. 375.075, F.S., relating to a use of the Land Acquisition Trust Fund, to conform; amending s. 420.5092, F.S.; revising the use of tax proceeds to support the Florida Affordable Housing Guarantee Program; amending ss. 420.9073, 420.9078, and 420.9079, F.S., relating to funding of and distributions from the Local Government Housing Trust Fund, to conform; providing for the transfer of moneys in the General Revenue Fund to specified trust funds for fiscal year 2003-2004; providing an effective date.

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



HB 1793

2003

31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

Section 1. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.--All taxes collected under this chapter shall be distributed as follows ~~and shall be subject to the service charge imposed in s. 215.20(1), except that such service charge shall not be levied against any portion of taxes pledged to debt service on bonds to the extent that the amount of the service charge is required to pay any amounts relating to the bonds:~~

(1) Seventy-eight and nine hundred forty-six thousandths ~~Sixty-two and sixty-three hundredths~~ percent of the remaining taxes collected under this chapter shall be used for the following purposes:

(a) Amounts as shall be necessary to pay the debt service on, or fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Preservation 2000 bonds issued pursuant to s. 375.051 and Florida Forever bonds issued pursuant to s. 215.618, shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund to be used for such purposes. The amount transferred to the Land Acquisition Trust Fund for such purposes shall not exceed \$300 million in fiscal year 1999-2000 and thereafter for Preservation 2000 bonds and bonds issued to refund Preservation 2000 bonds, and \$300 million in fiscal year 2000-2001 and thereafter for Florida Forever bonds. The annual amount transferred to the Land Acquisition Trust Fund for Florida Forever bonds shall not exceed \$30 million in the first fiscal year in which bonds are issued. The limitation on the amount transferred shall be increased by an additional \$30 million in each subsequent fiscal



HB 1793

2003

61 year, but shall not exceed a total of \$300 million in any fiscal  
 62 year for all bonds issued. It is the intent of the Legislature  
 63 that all bonds issued to fund the Florida Forever Act be retired  
 64 by December 31, 2030. Except for bonds issued to refund  
 65 previously issued bonds, no series of bonds may be issued  
 66 pursuant to this paragraph unless such bonds are approved and  
 67 the debt service for the remainder of the fiscal year in which  
 68 the bonds are issued is specifically appropriated in the General  
 69 Appropriations Act. For purposes of refunding Preservation 2000  
 70 bonds, amounts designated within this section for Preservation  
 71 2000 and Florida Forever bonds may be transferred between the  
 72 two programs to the extent provided for in the documents  
 73 authorizing the issuance of the bonds. The Preservation 2000  
 74 bonds and Florida Forever bonds shall be equally and ratably  
 75 secured by moneys distributable to the Land Acquisition Trust  
 76 Fund pursuant to this section, except to the extent specifically  
 77 provided otherwise by the documents authorizing the issuance of  
 78 the bonds. No moneys transferred to the Land Acquisition Trust  
 79 Fund pursuant to this paragraph, or earnings thereon, shall be  
 80 used or made available to pay debt service on the Save Our Coast  
 81 revenue bonds.

82 (b) The remainder of the moneys distributed under this  
 83 subsection, after the required payment under paragraph (a),  
 84 shall be paid into the State Treasury to the credit of the Save  
 85 Our Everglades Trust Fund in amounts necessary to pay debt  
 86 service, provide reserves, and pay rebate obligations and other  
 87 amounts due with respect to bonds issued under s. 215.619.

88 ~~(c) The remainder of the moneys distributed under this~~  
 89 ~~subsection, after the required payments under paragraphs (a) and~~  
 90 ~~(b), shall be paid into the State Treasury to the credit of the~~



HB 1793

2003

91 ~~Land Acquisition Trust Fund and may be used for any purpose for~~  
92 ~~which funds deposited in the Land Acquisition Trust Fund may~~  
93 ~~lawfully be used. Payments made under this paragraph shall~~  
94 ~~continue until the cumulative amount credited to the Land~~  
95 ~~Acquisition Trust Fund for the fiscal year under this paragraph~~  
96 ~~and paragraph (2)(b) equals 70 percent of the current official~~  
97 ~~forecast for distributions of taxes collected under this chapter~~  
98 ~~pursuant to subsection (2). As used in this paragraph, the term~~  
99 ~~"current official forecast" means the most recent forecast as~~  
100 ~~determined by the Revenue Estimating Conference. If the current~~  
101 ~~official forecast for a fiscal year changes after payments under~~  
102 ~~this paragraph have ended during that fiscal year, no further~~  
103 ~~payments are required under this paragraph during the fiscal~~  
104 ~~year.~~

105 ~~(c)(d)~~ The remainder of the moneys distributed under this  
106 subsection, after the required payments under paragraphs (a)  
107 ~~and~~, (b), ~~and (e)~~, shall be paid into the State Treasury to the  
108 credit of the General Revenue Fund of the state to be used and  
109 expended for the purposes for which the General Revenue Fund was  
110 created and exists by law ~~or to the Ecosystem Management and~~  
111 ~~Restoration Trust Fund or to the Marine Resources Conservation~~  
112 ~~Trust Fund as provided in subsection (11).~~

113 (2) Eight and seven hundred twenty-four thousandths ~~Seven~~  
114 ~~and fifty-six hundredths~~ percent of the ~~remaining~~ taxes  
115 collected under this chapter shall be paid into the State  
116 Treasury to the credit of the General Revenue Fund. Amounts  
117 distributed under this subsection are subject to payment of debt  
118 service on bonds issued to acquire coastal lands through deposit  
119 into the Land Acquisition Trust Fund. Any moneys remaining after  
120 payment of such debt service shall be available for any purpose



HB 1793

2003

121 for which funds in the General Revenue Fund may be lawfully  
122 used.

123 (3) Four and eighty-five hundredths percent of the taxes  
124 collected under this chapter shall be used for the following  
125 purposes:

126 (a) Amounts as shall be necessary to fully fund the annual  
127 debt service reserve in the Affordable Housing Guarantee Fund  
128 pursuant to s. 420.5092(6)(a) shall be paid into the State  
129 Treasury to the credit of the Affordable Housing Guarantee Fund  
130 to be used for the purposes described in that paragraph.

131 (b) Amounts as shall be necessary to maintain or restore  
132 the claims paying rating assigned to the Affordable Housing  
133 Guarantee Fund such that the rating is not less than the third-  
134 highest rating classification of any nationally recognized  
135 rating service rating the fund shall, pursuant to s.  
136 420.5092(6)(b), be paid into the State Treasury to the credit of  
137 the Affordable Housing Guarantee Fund to be used for the  
138 purposes described in that paragraph.

139 ~~(a) Beginning in the month following the final payment for~~  
140 ~~a fiscal year under paragraph (1)(c), available moneys shall be~~  
141 ~~paid into the State Treasury to the credit of the General~~  
142 ~~Revenue Fund of the state to be used and expended for the~~  
143 ~~purposes for which the General Revenue Fund was created and~~  
144 ~~exists by law or to the Ecosystem Management and Restoration~~  
145 ~~Trust Fund or to the Marine Resources Conservation Trust Fund as~~  
146 ~~provided in subsection (11). Payments made under this paragraph~~  
147 ~~shall continue until the cumulative amount credited to the~~  
148 ~~General Revenue Fund for the fiscal year under this paragraph~~  
149 ~~equals the cumulative payments made under paragraph (1)(c) for~~  
150 ~~the same fiscal year.~~



HB 1793

2003

151 ~~(c)(b)~~ The remainder of the moneys distributed under this  
 152 subsection, after the required payments under paragraphs (a) and  
 153 (b), shall be paid into the State Treasury to the credit of the  
 154 General Revenue Fund Land Acquisition Trust Fund. Sums deposited  
 155 in the fund pursuant to this subsection may be used for any  
 156 purpose for which funds deposited in the Land Acquisition Trust  
 157 Fund may lawfully be used.

158 ~~(4)(3)~~ Seven and forty-eight ~~One and ninety-four~~  
 159 hundredths percent of the ~~remaining~~ taxes collected under this  
 160 chapter shall be paid into the State Treasury to the credit of  
 161 the General Revenue Fund. Amounts distributed pursuant to this  
 162 subsection are subject to payment of debt service on outstanding  
 163 Conservation and Recreation Lands revenue bonds through deposit  
 164 into the Land Acquisition Trust Fund. ~~Moneys deposited in the~~  
 165 ~~trust fund pursuant to this section shall be used for the~~  
 166 ~~following purposes:~~

167 ~~(a)~~ ~~Sixty percent of the moneys shall be used to acquire~~  
 168 ~~coastal lands or to pay debt service on bonds issued to acquire~~  
 169 ~~coastal lands; and~~

170 ~~(b)~~ ~~Forty percent of the moneys shall be used to develop~~  
 171 ~~and manage lands acquired with moneys from the Land Acquisition~~  
 172 ~~Trust Fund.~~

173 ~~(4)~~ ~~Four and two-tenths percent of the remaining taxes~~  
 174 ~~collected under this chapter shall be paid into the State~~  
 175 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~  
 176 ~~Sums deposited in that fund may be used for any purpose~~  
 177 ~~authorized in s. 373.59.~~

178 ~~(5)~~ ~~Four and two-tenths percent of the remaining taxes~~  
 179 ~~collected under this chapter shall be paid into the State~~  
 180 ~~Treasury to the credit of the Conservation and Recreation Lands~~



HB 1793

2003

181 ~~Trust Fund to carry out the purposes set forth in s. 259.032.~~  
182 ~~Nine and one-half percent of the amount credited to the~~  
183 ~~Conservation and Recreation Lands Trust Fund pursuant to this~~  
184 ~~subsection shall be transferred to the State Game Trust Fund and~~  
185 ~~used for land management activities.~~

186 ~~(6) Two and twenty-eight hundredths percent of the~~  
187 ~~remaining taxes collected under this chapter shall be paid into~~  
188 ~~the State Treasury to the credit of the Invasive Plant Control~~  
189 ~~Trust Fund to carry out the purposes set forth in ss. 369.22 and~~  
190 ~~369.252.~~

191 ~~(7) One-half of one percent of the remaining taxes~~  
192 ~~collected under this chapter shall be paid into the State~~  
193 ~~Treasury to the credit of the State Game Trust Fund to be used~~  
194 ~~exclusively for the purpose of implementing the Lake Restoration~~  
195 ~~2020 Program.~~

196 ~~(8) One-half of one percent of the remaining taxes~~  
197 ~~collected under this chapter shall be paid into the State~~  
198 ~~Treasury and divided equally to the credit of the Department of~~  
199 ~~Environmental Protection Water Quality Assurance Trust Fund to~~  
200 ~~address water quality impacts associated with nonagricultural~~  
201 ~~nonpoint sources and to the credit of the Department of~~  
202 ~~Agriculture and Consumer Services General Inspection Trust Fund~~  
203 ~~to address water quality impacts associated with agricultural~~  
204 ~~nonpoint sources, respectively. These funds shall be used for~~  
205 ~~research, development, demonstration, and implementation of~~  
206 ~~suitable best management practices or other measures used to~~  
207 ~~achieve water quality standards in surface waters and water~~  
208 ~~segments identified pursuant to ss. 303(d) of the Clean Water~~  
209 ~~Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.~~

210 ~~Implementation of best management practices and other measures~~



HB 1793

2003

211 ~~may include cost-share grants, technical assistance,~~  
212 ~~implementation tracking, and conservation leases or other~~  
213 ~~agreements for water quality improvement. The Department of~~  
214 ~~Environmental Protection and the Department of Agriculture and~~  
215 ~~Consumer Services may adopt rules governing the distribution of~~  
216 ~~funds for implementation of best management practices. The~~  
217 ~~unobligated balance of funds received from the distribution of~~  
218 ~~taxes collected under this chapter to address water quality~~  
219 ~~impacts associated with nonagricultural nonpoint sources will be~~  
220 ~~excluded when calculating the unobligated balance of the Water~~  
221 ~~Quality Assurance Trust Fund as it relates to the determination~~  
222 ~~of the applicable excise tax rate.~~

223 ~~(9) Seven and fifty-three hundredths percent of the~~  
224 ~~remaining taxes collected under this chapter shall be paid into~~  
225 ~~the State Treasury to the credit of the State Housing Trust Fund~~  
226 ~~and shall be used as follows:~~

227 ~~(a) Half of that amount shall be used for the purposes for~~  
228 ~~which the State Housing Trust Fund was created and exists by~~  
229 ~~law.~~

230 ~~(b) Half of that amount shall be paid into the State~~  
231 ~~Treasury to the credit of the Local Government Housing Trust~~  
232 ~~Fund and shall be used for the purposes for which the Local~~  
233 ~~Government Housing Trust Fund was created and exists by law.~~

234 ~~(10) Eight and sixty-six hundredths percent of the~~  
235 ~~remaining taxes collected under this chapter shall be paid into~~  
236 ~~the State Treasury to the credit of the State Housing Trust Fund~~  
237 ~~and shall be used as follows:~~

238 ~~(a) Twelve and one-half percent of that amount shall be~~  
239 ~~deposited into the State Housing Trust Fund and be expended by~~  
240 ~~the Department of Community Affairs and by the Florida Housing~~





HB 1793

2003

241 ~~Finance Corporation for the purposes for which the State Housing~~  
242 ~~Trust Fund was created and exists by law.~~

243 ~~(b) Eighty-seven and one-half percent of that amount shall~~  
244 ~~be distributed to the Local Government Housing Trust Fund and~~  
245 ~~shall be used for the purposes for which the Local Government~~  
246 ~~Housing Trust Fund was created and exists by law. Funds from~~  
247 ~~this category may also be used to provide for state and local~~  
248 ~~services to assist the homeless.~~

249 ~~(11) From the moneys specified in paragraphs (1)(d) and~~  
250 ~~(2)(a) and prior to deposit of any moneys into the General~~  
251 ~~Revenue Fund, \$30 million shall be paid into the State Treasury~~  
252 ~~to the credit of the Ecosystem Management and Restoration Trust~~  
253 ~~Fund in fiscal year 2000-2001 and each fiscal year thereafter,~~  
254 ~~to be used for the preservation and repair of the state's~~  
255 ~~beaches as provided in ss. 161.091-161.212, and \$2 million shall~~  
256 ~~be paid into the State Treasury to the credit of the Marine~~  
257 ~~Resources Conservation Trust Fund to be used for marine mammal~~  
258 ~~care as provided in s. 370.0603(3).~~

259 ~~(5)(12) The Department of Revenue may use the payments~~  
260 ~~credited to the General Revenue Fund trust funds pursuant to~~  
261 ~~paragraphs (1)(c) and (2)(b) and subsections (3), (4), (5), (6),~~  
262 ~~(7), (8), (9), and (10) to pay the costs of the collection and~~  
263 ~~enforcement of the tax levied by this chapter. The percentage of~~  
264 ~~such costs which may be assessed against a trust fund is a~~  
265 ~~ratio, the numerator of which is payments credited to that trust~~  
266 ~~fund under this section and the denominator of which is the sum~~  
267 ~~of payments made under paragraphs (1)(c) and (2)(b) and~~  
268 ~~subsections (3), (4), (5), (6), (7), (8), (9), and (10).~~

269 ~~(6)(13) Moneys appropriated to The distribution of~~  
270 ~~proceeds deposited into the Water Management Lands Trust Fund~~



HB 1793

2003

271 and the Conservation and Recreation Lands Trust Fund, ~~pursuant~~  
 272 ~~to subsections (4) and (5)~~, shall not be used for land  
 273 acquisition, but may be used for preacquisition costs associated  
 274 with land purchases. The Legislature intends that the Florida  
 275 Forever program supplant the acquisition programs formerly  
 276 authorized under ss. 259.032 and 373.59. Prior to the 2005  
 277 Regular Session of the Legislature, the Acquisition and  
 278 Restoration Council shall review and make recommendations to the  
 279 Legislature concerning the need to repeal this provision. Based  
 280 on these recommendations, the Legislature shall review the need  
 281 to repeal this provision during the 2005 Regular Session.

282 ~~(14) Amounts distributed pursuant to subsections (5), (6),~~  
 283 ~~(7) and (8) are subject to the payment of debt service on~~  
 284 ~~outstanding Conservation and Recreation Lands revenue bonds.~~

285 Section 2. Section 161.091, Florida Statutes, is amended  
 286 to read:

287 161.091 Beach management; funding; repair and maintenance  
 288 strategy.--

289 (1) Subject to such appropriations as the Legislature may  
 290 make therefor from time to time, disbursements from the  
 291 Ecosystem Management and Restoration Trust Fund may be made by  
 292 the department in order to carry out the proper state  
 293 responsibilities in a comprehensive, long-range, statewide beach  
 294 management plan for erosion control; beach preservation,  
 295 restoration, and nourishment; and storm and hurricane  
 296 protection. Legislative intent in appropriating such funds is  
 297 for the implementation of those projects that contribute most  
 298 significantly to addressing the state's beach erosion problems.

299 (2) The department shall develop a multiyear repair and  
 300 maintenance strategy that:



HB 1793

2003

- 301 (a) Encourages regional approaches to ensure the  
302 geographic coordination and sequencing of prioritized projects;
- 303 (b) Reduces equipment mobilization and demobilization  
304 costs;
- 305 (c) Maximizes the infusion of beach-quality sand into the  
306 system;
- 307 (d) Extends the life of beach nourishment projects and  
308 reduces the frequency of nourishment; and
- 309 (e) Promotes inlet sand bypassing to replicate the natural  
310 flow of sand interrupted by improved, modified, or altered  
311 inlets and ports.
- 312 ~~(3) In accordance with the intent expressed in s. 161.088~~  
313 ~~and the legislative finding that erosion of the beaches of this~~  
314 ~~state is detrimental to tourism, the state's major industry,~~  
315 ~~further exposes the state's highly developed coastline to severe~~  
316 ~~storm damage, and threatens beach-related jobs, which, if not~~  
317 ~~stopped, could significantly reduce state sales tax revenues,~~  
318 ~~funds deposited into the State Treasury to the credit of the~~  
319 ~~Ecosystem Management and Restoration Trust Fund, in the annual~~  
320 ~~amounts provided in s. 201.15(11), shall be used, for a period~~  
321 ~~of not less than 15 years, to fund the development,~~  
322 ~~implementation, and administration of the state's beach~~  
323 ~~management plan, as provided in ss. 161.091-161.212, prior to~~  
324 ~~the use of such funds deposited pursuant to s. 201.15(11) in~~  
325 ~~that trust fund for any other purpose.~~
- 326 Section 3. Section 161.05301, Florida Statutes, is  
327 repealed.
- 328 Section 4. Section 201.0205, Florida Statutes, is amended  
329 to read:



HB 1793

2003

330           201.0205 Counties that have implemented ch. 83-220;  
 331 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,  
 332 Laws of Florida.--The 10-cent tax increase in the documentary  
 333 stamp tax levied by s. 2, chapter 92-317, does not apply to  
 334 deeds and other taxable instruments relating to real property  
 335 located in any county that has implemented the provisions of  
 336 chapter 83-220, Laws of Florida, as amended by chapters 84-270,  
 337 86-152, and 89-252, Laws of Florida. ~~Each such county and each~~  
 338 ~~eligible jurisdiction within such county shall not be eligible~~  
 339 ~~to participate in programs funded pursuant to s. 201.15(6).~~  
 340 ~~However, each such county and each eligible jurisdiction within~~  
 341 ~~such county shall be eligible to participate in programs funded~~  
 342 ~~pursuant to s. 201.15(7).~~

343           Section 5. Paragraph (a) of subsection (2) of section  
 344 259.032, Florida Statutes, is amended to read:

345           259.032 Conservation and Recreation Lands Trust Fund;  
 346 purpose.--

347           (2)(a) The Conservation and Recreation Lands Trust Fund is  
 348 established within the Department of Environmental Protection.  
 349 The fund shall be used as a nonlapsing, revolving fund  
 350 exclusively for the purposes of this section. The fund shall be  
 351 credited with proceeds from the following excise taxes:

352           1. The excise taxes on documents and other funds  
 353 distributed to the trust fund as provided in s. 201.15. ~~and~~

354           2. The excise tax on the severance of phosphate rock as  
 355 provided in s. 211.3103.

356

357 The Department of Revenue shall credit to the fund each month  
 358 the proceeds from such taxes as provided in this paragraph.



HB 1793

2003

359 Section 6. Subsection (4) of section 369.252, Florida  
 360 Statutes, is amended to read:

361 369.252 Invasive exotic plant control on public  
 362 lands.--The department shall establish a program to:

363 (4) Use funds in the Invasive Plant Control Trust Fund as  
 364 authorized by the Legislature for carrying out activities under  
 365 this section on public lands. ~~Twenty percent of the amount~~  
 366 ~~credited to the Invasive Plant Control Trust Fund pursuant to s.~~  
 367 ~~201.15(6) shall be used for the purpose of controlling~~  
 368 ~~nonnative, upland, invasive plant species on public lands.~~

369 Section 7. Section 370.0603, Florida Statutes, is amended  
 370 to read:

371 370.0603 Marine Resources Conservation Trust Fund;  
 372 purposes.--

373 (1) The Marine Resources Conservation Trust Fund within  
 374 the Fish and Wildlife Conservation Commission shall serve as a  
 375 broad-based depository for funds from various marine-related  
 376 activities and shall be administered by the commission for the  
 377 purposes of:

378 (a) Funding for marine research.

379 (b) Funding for fishery enhancement, including, but not  
 380 limited to, fishery statistics development, artificial reefs,  
 381 and fish hatcheries.

382 (c) Funding for marine law enforcement.

383 (d) Funding for administration of licensing programs for  
 384 recreational fishing, saltwater products sales, and related  
 385 information and education activities.

386 (e) Funding for the operations of the Fish and Wildlife  
 387 Conservation Commission.

388 (f) Funding for titling and registration of vessels.



HB 1793

2003

389 (g) Funding for marine turtle protection, research, and  
 390 recovery activities from revenues that are specifically credited  
 391 to the trust fund for these purposes.

392 (h) Funding activities for rehabilitation of oyster  
 393 harvesting areas from which special oyster surcharge fees are  
 394 collected, including relaying and transplanting live oysters.

395 (2) The Marine Resources Conservation Trust Fund shall  
 396 receive the proceeds from:

397 (a) All license fees collected pursuant to ss. 370.06 and  
 398 370.07.

399 (b) All funds collected from the registration of vessels  
 400 and other fees pursuant to s. 328.72.

401 (c) All fees collected pursuant to ss. 370.063, 370.142,  
 402 and 372.5704.

403 (d) All fines and penalties pursuant to s. 370.021.

404 (e) Other revenues as provided by law.

405 ~~(3) Funds provided to the Marine Resources Conservation~~  
 406 ~~Trust Fund from taxes distributed under s. 201.15(11) shall be~~  
 407 ~~used for the following purposes:~~

408 ~~(a) To reimburse the cost of activities authorized~~  
 409 ~~pursuant to the Fish and Wildlife Service of the United States~~  
 410 ~~Department of the Interior. Such facilities must be involved in~~  
 411 ~~the actual rescue and full-time acute care veterinarian-based~~  
 412 ~~rehabilitation of manatees. The cost of activities includes, but~~  
 413 ~~is not limited to, costs associated with expansion, capital~~  
 414 ~~outlay, repair, maintenance, and operation related to the~~  
 415 ~~rescue, treatment, stabilization, maintenance, release, and~~  
 416 ~~monitoring of manatees. Moneys distributed through the~~  
 417 ~~contractual agreement to each facility for manatee~~  
 418 ~~rehabilitation must be proportionate to the number of manatees~~



HB 1793

2003

419 ~~under acute care rehabilitation; the number of maintenance days~~  
420 ~~medically necessary in the facility; and the number released~~  
421 ~~during the previous fiscal year. The commission may set a cap on~~  
422 ~~the total amount reimbursed per manatee per year.~~

423 ~~(b) For training on the care, treatment, and~~  
424 ~~rehabilitation of marine mammals at the Whitney Laboratory and~~  
425 ~~the College of Veterinary Medicine at the University of Florida.~~

426 ~~(c) For program administration costs of the agency.~~

427 ~~(d) Funds not distributed in any 1 fiscal year must be~~  
428 ~~carried over for distribution in subsequent years.~~

429 Section 8. Subsection (1) of section 375.075, Florida  
430 Statutes, is amended to read:

431 375.075 Outdoor recreation; financial assistance to local  
432 governments.--

433 (1) The Department of Environmental Protection is  
434 authorized to establish the Florida Recreation Development  
435 Assistance Program to provide grants to qualified local  
436 governmental entities to acquire or develop land for public  
437 outdoor recreation purposes. ~~To the extent not needed for debt~~  
438 ~~service on bonds issued pursuant to s. 375.051, each year the~~  
439 ~~department shall develop and plan a program which shall be based~~  
440 ~~upon funding of not less than 5 percent of the money credited to~~  
441 ~~the Land Acquisition Trust Fund pursuant to s. 201.15(2) and (3)~~  
442 ~~in that year. Beginning fiscal year 2001-2002, The department~~  
443 shall develop and plan a program which shall be based upon the  
444 cumulative total funding provided from this section and from the  
445 Florida Forever Trust Fund pursuant to s. 259.105(3)(c).

446 Section 9. Subsections (5) and (6) of section 420.5092,  
447 Florida Statutes, are amended to read:

448 420.5092 Florida Affordable Housing Guarantee Program.--



HB 1793

2003

449 (5) Pursuant to s. 16, Art. VII of the State Constitution,  
450 the corporation may issue, in accordance with s. 420.509,  
451 revenue bonds of the corporation to establish the guarantee  
452 fund. Such revenue bonds shall be primarily payable from and  
453 secured by annual debt service reserves, from interest earned on  
454 funds on deposit in the guarantee fund, from fees, charges, and  
455 reimbursements established by the corporation for the issuance  
456 of affordable housing guarantees, and from any other revenue  
457 sources received by the corporation and deposited by the  
458 corporation into the guarantee fund for the issuance of  
459 affordable housing guarantees. To the extent such primary  
460 revenue sources are considered insufficient by the corporation,  
461 pursuant to the certification provided in subsection (6), to  
462 fully fund the annual debt service reserve, the certified  
463 deficiency in such reserve shall be additionally payable from  
464 the distributions of documentary stamp tax proceeds pursuant to  
465 s. 201.15(3) first proceeds of the documentary stamp tax moneys  
466 deposited into the State Housing Trust Fund pursuant to s.  
467 201.15(9)(a) and (10)(a) during the ensuing state fiscal year.

468 (6)(a) If the primary revenue sources to be used for  
469 repayment of revenue bonds used to establish the guarantee fund  
470 are insufficient for such repayment, the annual principal and  
471 interest due on each series of revenue bonds shall be payable  
472 from funds in the annual debt service reserve. The corporation  
473 shall, before June 1 of each year, perform a financial audit to  
474 determine whether at the end of the state fiscal year there will  
475 be on deposit in the guarantee fund an annual debt service  
476 reserve from interest earned pursuant to the investment of the  
477 guarantee fund, fees, charges, and reimbursements received from  
478 issued affordable housing guarantees and other revenue sources





HB 1793

2003

479 available to the corporation. Based upon the findings in such  
480 guarantee fund financial audit, the corporation shall certify to  
481 the Chief Financial Officer ~~Comptroller~~ the amount of any  
482 projected deficiency in the annual debt service reserve for any  
483 series of outstanding bonds as of the end of the state fiscal  
484 year and the amount necessary to maintain such annual debt  
485 service reserve. Upon receipt of such certification, the Chief  
486 Financial Officer ~~Comptroller~~ shall transfer to the annual debt  
487 service reserve, from the distributions of documentary stamp tax  
488 proceeds pursuant to s. 201.15(3) first available taxes  
489 ~~distributed to the State Housing Trust Fund pursuant to s.~~  
490 ~~201.15(9)(a) and (10)(a)~~ during the ensuing state fiscal year,  
491 the amount certified as necessary to maintain the annual debt  
492 service reserve.

493 (b) If the claims payment obligations under affordable  
494 housing guarantees from amounts on deposit in the guarantee fund  
495 would cause the claims paying rating assigned to the guarantee  
496 fund to be less than the third-highest rating classification of  
497 any nationally recognized rating service, which classifications  
498 being consistent with s. 215.84(3) and rules adopted thereto by  
499 the State Board of Administration, the corporation shall certify  
500 to the Chief Financial Officer ~~Comptroller~~ the amount of such  
501 claims payment obligations. Upon receipt of such certification,  
502 the Chief Financial Officer ~~Comptroller~~ shall transfer to the  
503 guarantee fund, from the distributions of documentary stamp tax  
504 proceeds pursuant to s. 201.15(3) first available taxes  
505 ~~distributed to the State Housing Trust Fund pursuant to s.~~  
506 ~~201.15(9)(a) and (10)(a)~~ during the ensuing state fiscal year,  
507 the amount certified as necessary to meet such obligations, such  
508 transfer to be subordinate to any transfer referenced in



HB 1793

2003

509 paragraph (a) and not to exceed 50 percent of the maximum  
 510 possible distributions of documentary stamp tax proceeds  
 511 pursuant to s. 201.15(3) ~~amounts distributed to the State~~  
 512 ~~Housing Trust Fund pursuant to s. 201.15(9)(a) and (10)(a)~~  
 513 during the preceding state fiscal year.

514 Section 10. Section 420.9073, Florida Statutes, is amended  
 515 to read:

516 420.9073 Local housing distributions.--

517 ~~(1)~~ Distributions from the Local Government Housing Trust  
 518 Fund ~~calculated in this section~~ shall be disbursed on a monthly  
 519 basis by the corporation beginning the first day of the month  
 520 after program approval pursuant to s. 420.9072. Each county's  
 521 share of the funds to be distributed from the ~~portion of the~~  
 522 ~~funds in the Local Government Housing Trust fund received~~  
 523 ~~pursuant to s. 201.15(9)~~ shall be calculated by the corporation  
 524 for each fiscal year as provided in the General Appropriations  
 525 Act. follows:

526 ~~(a) Each county other than a county that has implemented~~  
 527 ~~the provisions of chapter 83-220, Laws of Florida, as amended by~~  
 528 ~~chapters 84-270, 86-152, and 89-252, Laws of Florida, shall~~  
 529 ~~receive the guaranteed amount for each fiscal year.~~

530 ~~(b) Each county other than a county that has implemented~~  
 531 ~~the provisions of chapter 83-220, Laws of Florida, as amended by~~  
 532 ~~chapters 84-270, 86-152, and 89-252, Laws of Florida, may~~  
 533 ~~receive an additional share calculated as follows:~~

534 ~~1. Multiply each county's percentage of the total state~~  
 535 ~~population excluding the population of any county that has~~  
 536 ~~implemented the provisions of chapter 83-220, Laws of Florida,~~  
 537 ~~as amended by chapters 84-270, 86-152, and 89-252, Laws of~~  
 538 ~~Florida, by the total funds to be distributed.~~



HB 1793

2003

539 ~~2. If the result in subparagraph 1. is less than the~~  
540 ~~guaranteed amount as determined in subsection (3), that county's~~  
541 ~~additional share shall be zero.~~

542 ~~3. For each county in which the result in subparagraph 1.~~  
543 ~~is greater than the guaranteed amount as determined in~~  
544 ~~subsection (3), the amount calculated in subparagraph 1. shall~~  
545 ~~be reduced by the guaranteed amount. The result for each such~~  
546 ~~county shall be expressed as a percentage of the amounts so~~  
547 ~~determined for all counties. Each such county shall receive an~~  
548 ~~additional share equal to such percentage multiplied by the~~  
549 ~~total funds received by the Local Government Housing Trust Fund~~  
550 ~~pursuant to s. 201.15(9) reduced by the guaranteed amount paid~~  
551 ~~to all counties.~~

552 ~~(2) Effective July 1, 1995, distributions calculated in~~  
553 ~~this section shall be disbursed on a monthly basis by the~~  
554 ~~corporation beginning the first day of the month after program~~  
555 ~~approval pursuant to s. 420.9072. Each county's share of the~~  
556 ~~funds to be distributed from the portion of the funds in the~~  
557 ~~Local Government Housing Trust Fund received pursuant to s.~~  
558 ~~201.15(10) shall be calculated by the corporation for each~~  
559 ~~fiscal year as follows:~~

560 ~~(a) Each county shall receive the guaranteed amount for~~  
561 ~~each fiscal year.~~

562 ~~(b) Each county may receive an additional share calculated~~  
563 ~~as follows:~~

564 ~~1. Multiply each county's percentage of the total state~~  
565 ~~population, by the total funds to be distributed.~~

566 ~~2. If the result in subparagraph 1. is less than the~~  
567 ~~guaranteed amount as determined in subsection (3), that county's~~  
568 ~~additional share shall be zero.~~



HB 1793

2003

569 ~~3. For each county in which the result in subparagraph 1.~~  
 570 ~~is greater than the guaranteed amount, the amount calculated in~~  
 571 ~~subparagraph 1. shall be reduced by the guaranteed amount. The~~  
 572 ~~result for each such county shall be expressed as a percentage~~  
 573 ~~of the amounts so determined for all counties. Each such county~~  
 574 ~~shall receive an additional share equal to this percentage~~  
 575 ~~multiplied by the total funds received by the Local Government~~  
 576 ~~Housing Trust Fund pursuant to s. 201.15(10) as reduced by the~~  
 577 ~~guaranteed amount paid to all counties.~~

578 ~~(3) Calculation of guaranteed amounts:~~

579 ~~(a) The guaranteed amount under subsection (1) shall be~~  
 580 ~~calculated for each state fiscal year by multiplying \$350,000 by~~  
 581 ~~a fraction, the numerator of which is the amount of funds~~  
 582 ~~distributed to the Local Government Housing Trust Fund pursuant~~  
 583 ~~to s. 201.15(9) and the denominator of which is the total amount~~  
 584 ~~of funds distributed to the Local Government Housing Trust Fund~~  
 585 ~~pursuant to s. 201.15.~~

586 ~~(b) The guaranteed amount under subsection (2) shall be~~  
 587 ~~calculated for each state fiscal year by multiplying \$350,000 by~~  
 588 ~~a fraction, the numerator of which is the amount of funds~~  
 589 ~~distributed to the Local Government Housing Trust Fund pursuant~~  
 590 ~~to s. 201.15(10) and the denominator of which is the total~~  
 591 ~~amount of funds distributed to the Local Government Housing~~  
 592 ~~Trust Fund pursuant to s. 201.15.~~

593 ~~(4) Funds distributed pursuant to this section may not be~~  
 594 ~~pledged to pay debt service on any bonds.~~

595 Section 11. Section 420.9078, Florida Statutes, is amended  
 596 to read:

597 420.9078 State administration of remaining local housing  
 598 distribution funds.--When appropriated funds remain in the Local



HB 1793

2003

599 Government Housing Trust Fund, the corporation shall distribute  
600 the remaining funds as follows:

601 (1) The corporation shall distribute all remaining funds  
602 proportionately ~~as provided in s. 420.9073(2)(b)~~ among counties  
603 and eligible municipalities for which an emergency or natural  
604 disaster has been declared by executive order and which have an  
605 approved local housing assistance plan to implement a local  
606 housing assistance strategy, consistent with ss. 420.907-  
607 420.9079, for repairing and replacing housing damaged as a  
608 result of the emergency or natural disaster.

609 (2) If subsection (1) does not apply, the corporation  
610 shall distribute the remaining funds proportionately ~~as provided~~  
611 ~~in ss. 420.9072 and 420.9073(2)(b)~~ among all counties and  
612 eligible municipalities that have fully expended their local  
613 housing distributions for the immediately preceding state fiscal  
614 year on eligible activities and have an approved local housing  
615 assistance plan. A county or eligible municipality that receives  
616 local housing distributions pursuant to this subsection shall  
617 expend those funds in accordance with the provisions of ss.  
618 420.907-420.9079, corporation rule, and its local housing  
619 assistance plan.

620 Section 12. Subsection (1) of section 420.9079, Florida  
621 Statutes, is amended to read:

622 420.9079 Local Government Housing Trust Fund.--

623 (1) There is created in the State Treasury the Local  
624 Government Housing Trust Fund, which shall be administered by  
625 the corporation on behalf of the department according to the  
626 provisions of ss. 420.907-420.9078 and this section. There shall  
627 be deposited into the fund ~~a portion of the documentary stamp~~  
628 ~~tax revenues as provided in s. 201.15,~~ moneys received from any



HB 1793

2003

629 other source for the purposes of ss. 420.907-420.9078 and this  
 630 section<sup>7</sup> and all proceeds derived from the investment of such  
 631 moneys. Moneys in the fund that are not currently needed for the  
 632 purposes of the programs administered pursuant to ss. 420.907-  
 633 420.9078 and this section shall be deposited to the credit of  
 634 the fund and may be invested as provided by law. The interest  
 635 received on any such investment shall be credited to the fund.

636 Section 13. For fiscal year 2003-2004, funds are  
 637 transferred from the General Revenue Fund to the following trust  
 638 funds in the amounts specified:

- 639 (1) Department of Environmental Protection:
- 640 (a) Conservation and Recreation Lands Trust Fund,  
 641 \$54,300,000.
- 642 (b) Land Acquisition Trust Fund, \$96,531,000.
- 643 (c) Water Management Lands Trust Fund, \$48,400,000.
- 644 (d) Ecosystem Management and Restoration Trust Fund,  
 645 \$22,500,000.
- 646 (e) Invasive Plant Control Trust Fund, \$21,500,000.
- 647 (f) Water Quality Assurance Trust Fund, \$3,000,000.
- 648 (2) Fish and Wildlife Conservation Commission, State Game  
 649 Trust Fund, \$2,000,000.
- 650 (3) Department of Revenue, Administrative Trust Fund,  
 651 \$7,900,000.

652 Section 14. This act shall take effect July 1, 2003.