



HB 1849

2003

1 A bill to be entitled

2 An act relating to the Public Employees Relations  
3 Commission; amending s. 212.20, F.S.; providing for  
4 deposit into the Public Employees Relations Commission  
5 Trust Fund of certain proceeds of the local government  
6 half-cent sales tax that would otherwise be deposited into  
7 the Local Government Half-cent Sales Tax Clearing Trust  
8 Fund; amending s. 447.305, F.S.; increasing the fee for  
9 registration or renewal of registration of employee  
10 organizations seeking to become certified bargaining  
11 agents for public employees; providing for deposit of the  
12 proceeds of such fees into the Public Employees Relations  
13 Commission Trust Fund; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Paragraph (d) of subsection (6) of section  
18 212.20, Florida Statutes, as amended by section 1 of chapter  
19 2002-291, Laws of Florida, is amended to read:

20 212.20 Funds collected, disposition; additional powers of  
21 department; operational expense; refund of taxes adjudicated  
22 unconstitutionally collected.--

23 (6) Distribution of all proceeds under this chapter and s.  
24 202.18(1)(b) and (2)(b) shall be as follows:

25 (d) The proceeds of all other taxes and fees imposed  
26 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)  
27 and (2)(b) shall be distributed as follows:

28 1. In any fiscal year, the greater of \$500 million, minus  
29 an amount equal to 4.6 percent of the proceeds of the taxes  
30 collected pursuant to chapter 201, or 5 percent of all other



HB 1849

2003

31 taxes and fees imposed pursuant to this chapter or remitted  
32 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in  
33 monthly installments into the General Revenue Fund.

34 2. Two-tenths of one percent shall be transferred to the  
35 Ecosystem Management and Restoration Trust Fund to be used for  
36 water quality improvement and water restoration projects.

37 3. After the distribution under subparagraphs 1. and 2.,  
38 9.653 percent of the amount remitted by a sales tax dealer  
39 located within a participating county pursuant to s. 218.61  
40 shall be transferred into the Local Government Half-cent Sales  
41 Tax Clearing Trust Fund. Before transferring the amount set  
42 forth in this subparagraph, the department shall distribute  
43 \$133,333 monthly to the Public Employees Relations Commission  
44 Trust Fund.

45 4. After the distribution under subparagraphs 1., 2., and  
46 3., 0.065 percent shall be transferred to the Local Government  
47 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
48 to s. 218.65.

49 5. For proceeds received after July 1, 2000, and after the  
50 distributions under subparagraphs 1., 2., 3., and 4., 2.25  
51 percent of the available proceeds pursuant to this paragraph  
52 shall be transferred monthly to the Revenue Sharing Trust Fund  
53 for Counties pursuant to s. 218.215.

54 6. For proceeds received after July 1, 2000, and after the  
55 distributions under subparagraphs 1., 2., 3., and 4., 1.0715  
56 percent of the available proceeds pursuant to this paragraph  
57 shall be transferred monthly to the Revenue Sharing Trust Fund  
58 for Municipalities pursuant to s. 218.215. If the total revenue  
59 to be distributed pursuant to this subparagraph is at least as  
60 great as the amount due from the Revenue Sharing Trust Fund for



HB 1849

2003

61 Municipalities and the Municipal Financial Assistance Trust Fund  
 62 in state fiscal year 1999-2000, no municipality shall receive  
 63 less than the amount due from the Revenue Sharing Trust Fund for  
 64 Municipalities and the Municipal Financial Assistance Trust Fund  
 65 in state fiscal year 1999-2000. If the total proceeds to be  
 66 distributed are less than the amount received in combination  
 67 from the Revenue Sharing Trust Fund for Municipalities and the  
 68 Municipal Financial Assistance Trust Fund in state fiscal year  
 69 1999-2000, each municipality shall receive an amount  
 70 proportionate to the amount it was due in state fiscal year  
 71 1999-2000.

72 7. Of the remaining proceeds:

73 a. Beginning July 1, 2000, and in each fiscal year  
 74 thereafter, the sum of \$29,915,500 shall be divided into as many  
 75 equal parts as there are counties in the state, and one part  
 76 shall be distributed to each county. The distribution among the  
 77 several counties shall begin each fiscal year on or before  
 78 January 5th and shall continue monthly for a total of 4 months.  
 79 If a local or special law required that any moneys accruing to a  
 80 county in fiscal year 1999-2000 under the then-existing  
 81 provisions of s. 550.135 be paid directly to the district school  
 82 board, special district, or a municipal government, such payment  
 83 shall continue until such time that the local or special law is  
 84 amended or repealed. The state covenants with holders of bonds  
 85 or other instruments of indebtedness issued by local  
 86 governments, special districts, or district school boards prior  
 87 to July 1, 2000, that it is not the intent of this subparagraph  
 88 to adversely affect the rights of those holders or relieve local  
 89 governments, special districts, or district school boards of the  
 90 duty to meet their obligations as a result of previous pledges



HB 1849

2003

91 or assignments or trusts entered into which obligated funds  
92 received from the distribution to county governments under then-  
93 existing s. 550.135. This distribution specifically is in lieu  
94 of funds distributed under s. 550.135 prior to July 1, 2000.

95 b. The department shall distribute \$166,667 monthly  
96 pursuant to s. 288.1162 to each applicant that has been  
97 certified as a "facility for a new professional sports  
98 franchise" or a "facility for a retained professional sports  
99 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be  
100 distributed monthly by the department to each applicant that has  
101 been certified as a "facility for a retained spring training  
102 franchise" pursuant to s. 288.1162; however, not more than  
103 \$208,335 may be distributed monthly in the aggregate to all  
104 certified facilities for a retained spring training franchise.  
105 Distributions shall begin 60 days following such certification  
106 and shall continue for not more than 30 years. Nothing contained  
107 in this paragraph shall be construed to allow an applicant  
108 certified pursuant to s. 288.1162 to receive more in  
109 distributions than actually expended by the applicant for the  
110 public purposes provided for in s. 288.1162(6). However, a  
111 certified applicant is entitled to receive distributions up to  
112 the maximum amount allowable and undistributed under this  
113 section for additional renovations and improvements to the  
114 facility for the franchise without additional certification.

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



HB 1849

2003

121 d. Beginning 30 days after notice by the Office of  
 122 Tourism, Trade, and Economic Development to the Department of  
 123 Revenue that the applicant has been certified as the  
 124 International Game Fish Association World Center facility  
 125 pursuant to s. 288.1169, and the facility is open to the public,  
 126 \$83,333 shall be distributed monthly, for up to 168 months, to  
 127 the applicant. This distribution is subject to reduction  
 128 pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be  
 129 made, after certification and before July 1, 2000.

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

132 Section 2. Subsection (3) of section 447.305, Florida  
 133 Statutes, is amended to read:

134 447.305 Registration of employee organization.--

135 (3) A registration fee shall accompany each application  
 136 filed with the commission. The amount charged for an application  
 137 for registration or renewal of registration shall not exceed  
 138 \$140 ~~\$15~~. All such money collected by the commission shall be  
 139 deposited in the Public Employees Relations Commission Trust  
 140 ~~General Revenue Fund~~.

141 Section 3. This act shall take effect July 1, 2003.