

By the Committee on Transportation; and Senator Sebesta

306-2497-03

1                                   A bill to be entitled  
2           An act relating to the high-speed rail system;  
3           amending s. 341.8203, F.S.; deleting the term  
4           "associated development" from the definition of  
5           "high-speed rail system"; amending s. 341.840,  
6           F.S.; providing that the Florida High-Speed  
7           Rail Authority, its agent, or the owner of the  
8           high-speed rail system is not required to pay  
9           taxes or assessments related to the operation  
10          of the high-speed rail system; providing  
11          exceptions; providing an effective date.

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

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15           Section 1. Subsection (6) of section 341.8203, Florida  
16 Statutes, is amended to read:

17           341.8203 Definitions.--As used in this act, unless the  
18 context clearly indicates otherwise, the term:

19           (6) "High-speed rail system" means any high-speed  
20 fixed guideway system for transporting people or goods, which  
21 system is capable of operating at speeds in excess of 120  
22 miles per hour, including, but not limited to, a monorail  
23 system, dual track rail system, suspended rail system,  
24 magnetic levitation system, pneumatic repulsion system, or  
25 other system approved by the authority. The term includes a  
26 corridor and structures essential to the operation of the  
27 line, including the land, structures, improvements,  
28 rights-of-way, easements, rail lines, rail beds, guideway  
29 structures, stations, platforms, switches, yards, parking  
30 facilities, power relays, switching houses, rail stations,  
31 ~~associated development~~, and any other facilities or equipment

1 used or useful for the purposes of high-speed rail system  
2 design, construction, operation, maintenance, or the financing  
3 of the high-speed rail system.

4 Section 2. Section 341.840, Florida Statutes, is  
5 amended to read:

6 341.840 Tax exemption.--

7 (1) The exercise of the powers granted by this act  
8 will be in all respects for the benefit of the people of this  
9 state, for the increase of their commerce, welfare, and  
10 prosperity, and for the improvement of their health and living  
11 conditions, ~~and as~~ The design, building, operation,  
12 maintenance, and financing of a high-speed rail system by the  
13 authority or its agent or the owner or lessee thereof, as  
14 herein authorized, constitutes the performance of an essential  
15 public function.

16 (2) For these reasons, the authority, its agent, or  
17 the owner of such high-speed rail system is not required to  
18 pay any taxes or assessments on:

19 (a) Facilities directly related to the operation of  
20 the high-speed rail system.

21 (b) Any real property directly related to the  
22 operation of the high-speed rail system, ~~neither the~~  
23 authority, its agent, nor the owner of such system shall be  
24 required to pay any taxes or assessments upon or in respect to  
25 the system or any property acquired or used by the authority,  
26 its agent, or the system ~~such~~ owner.

27 (c) Any income derived directly from the operation of  
28 the high-speed rail system ~~under the provisions of this act or~~  
29 ~~upon the income therefrom~~, any security therefor, their  
30 transfer, and the income therefrom, including any profit made  
31 on the sale thereof, ~~shall at all times be free from taxation~~

1 ~~of every kind by the state, the counties, and the~~  
2 ~~municipalities and other political subdivisions in the state.~~

3 (3) However, the exemption granted by this section  
4 shall not be applicable to any tax imposed by chapter 220 on  
5 interest, income, or profits on debt obligations owned by  
6 corporations. When property of the authority is leased, it  
7 shall be exempt from ad valorem taxes only if the use by the  
8 lessee qualifies the property for an exemption under s.  
9 196.199.

10 Section 3. This act shall take effect upon becoming a  
11 law.

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13 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
14 COMMITTEE SUBSTITUTE FOR  
15 Senate Bill 2034

16 The CS specifies the tax exemptions provided in the CS are not  
17 applicable to any tax imposed by ch. 220, F.S., on interest,  
18 income, or profits on debt obligations owned by corporations.  
19 Further, when property is leased by the Authority it is only  
20 exempt from ad valorem taxes if the lessee qualifies the  
21 property for an exemption under s. 196.199, F.S.  
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