



HB 0237

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CHAMBER ACTION

The Committee on Finance & Tax recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to municipal parking facility space surcharges; creating s. 212.035, F.S.; authorizing certain municipalities to impose and collect a surcharge on certain parking facility space sale, lease, or rental charges; requiring referendum approval; providing for a maximum surcharge rate; providing an exception; providing a limitation; specifying uses and limits of surcharge proceeds; providing for local administration of the surcharge; providing an effective date.

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

Section 1. Section 212.035, Florida Statutes, is created to read:

212.035 Surcharge on municipal facility parking fees.--

(1) The governing authority of any municipality with a resident population of 200,000 or more, more than 20 percent of the real property of which is exempt from ad valorem taxes, and



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29 which is located in a county with a population of more than
30 500,000 may impose and collect, subject to referendum approval
31 by voters in the municipality, a discretionary per-vehicle
32 surcharge of up to 15 percent of the amount charged for the
33 sale, lease, or rental of space at parking facilities within the
34 municipality that are open for use to the general public and
35 that are not airports, seaports, county administration
36 buildings, or other projects as defined under ss. 125.011 and
37 125.015, provided that this surcharge shall not take effect
38 while any surcharge imposed pursuant to s. 218.503(5)(a), is in
39 effect.

40 (2) A municipal governing authority that imposes the
41 surcharge authorized by this section may use the proceeds of
42 such surcharge for the following purposes only:

43 (a) No less than 60 percent and no more than 80 percent of
44 surcharge proceeds shall be used to reduce the municipality's ad
45 valorem tax millage or to reduce or eliminate non-ad valorem
46 assessments, unless the municipality has previously used the
47 proceeds from the surcharge levied under s. 218.503(5)(b) to
48 reduce the municipality's ad valorem tax millage or to reduce
49 non-ad valorem assessments.

50 (b) Not more than 40 percent and not less than 20 percent
51 of surcharge proceeds shall be used to improve transportation
52 including, but not limited to, street, sidewalk, roadway,
53 landscape, transit, and streetscape beautification improvements.

54 (3) Any municipality imposing a surcharge authorized by
55 this section shall administer the surcharge locally pursuant to
56 the powers and duties enumerated for the local administration of



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57 | the tourist development tax in s. 125.0104. The municipality's
58 | referendum shall also provide brackets applicable to
59 | transactions subject to the surcharge.

60 | Section 2. This act shall take effect upon becoming a law.