



HB 0005A

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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 for construction of the
14 act in pari materia with laws enacted during the 2003
15 Regular Session of the Legislature; providing an effective
16 date.

17
18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Paragraph (d) of subsection (6) of section
21 212.20, Florida Statutes, as amended by section 1 of chapter
22 2002-291, Laws of Florida, is amended to read:

23 212.20 Funds collected, disposition; additional powers of
24 department; operational expense; refund of taxes adjudicated
25 unconstitutionally collected.--

26 (6) Distribution of all proceeds under this chapter and s.
27 202.18(1)(b) and (2)(b) shall be as follows:

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



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31 1. In any fiscal year, the greater of \$500 million, minus
32 an amount equal to 4.6 percent of the proceeds of the taxes
33 collected pursuant to chapter 201, or 5 percent of all other
34 taxes and fees imposed pursuant to this chapter or remitted
35 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
36 monthly installments into the General Revenue Fund.

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

40 3. After the distribution under subparagraphs 1. and 2.,
41 9.653 percent of the amount remitted by a sales tax dealer
42 located within a participating county pursuant to s. 218.61
43 shall be transferred into the Local Government Half-cent Sales
44 Tax Clearing Trust Fund. Before transferring the amount set
45 forth in this subparagraph, the department shall distribute
46 \$133,333 monthly to the Public Employees Relations Commission
47 Trust Fund.

48 4. After the distribution under subparagraphs 1., 2., and
49 3., 0.065 percent shall be transferred to the Local Government
50 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
51 to s. 218.65.

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

57 6. For proceeds received after July 1, 2000, and after the
58 distributions under subparagraphs 1., 2., 3., and 4., 1.0715
59 percent of the available proceeds pursuant to this paragraph
60 shall be transferred monthly to the Revenue Sharing Trust Fund



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61 for Municipalities pursuant to s. 218.215. If the total revenue
 62 to be distributed pursuant to this subparagraph is at least as
 63 great as 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, no municipality shall receive
 66 less than the amount due from the Revenue Sharing Trust Fund for
 67 Municipalities and the Municipal Financial Assistance Trust Fund
 68 in state fiscal year 1999-2000. If the total proceeds to be
 69 distributed are less than the amount received in combination
 70 from the Revenue Sharing Trust Fund for Municipalities and the
 71 Municipal Financial Assistance Trust Fund in state fiscal year
 72 1999-2000, each municipality shall receive an amount
 73 proportionate to the amount it was due in state fiscal year
 74 1999-2000.

75 7. Of the remaining proceeds:

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



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91 to adversely affect the rights of those holders or relieve local
92 governments, special districts, or district school boards of the
93 duty to meet their obligations as a result of previous pledges
94 or assignments or trusts entered into which obligated funds
95 received from the distribution to county governments under then-
96 existing s. 550.135. This distribution specifically is in lieu
97 of funds distributed under s. 550.135 prior to July 1, 2000.

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

118 c. Beginning 30 days after notice by the Office of
119 Tourism, Trade, and Economic Development to the Department of
120 Revenue that an applicant has been certified as the professional



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121 golf hall of fame pursuant to s. 288.1168 and is open to the
122 public, \$166,667 shall be distributed monthly, for up to 300
123 months, to the applicant.

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

133 8. All other proceeds shall remain with the General
134 Revenue Fund.

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

137 447.305 Registration of employee organization.--

138 (3) A registration fee shall accompany each application
139 filed with the commission. The amount charged for an application
140 for registration or renewal of registration shall not exceed
141 \$140 ~~\$15~~. All such money collected by the commission shall be
142 deposited in the Public Employees Relations Commission Trust
143 ~~General Revenue Fund~~.

144 Section 3. If any law amended by this act was also amended
145 by a law enacted at the 2003 Regular Session of the Legislature,
146 such laws shall be construed as if they had been enacted at the
147 same session of the Legislature, and full effect shall be given
148 to each if possible.

149 Section 4. This act shall take effect July 1, 2003.