

Bill No. CS for SB 1762

Amendment No. 1 Barcode 945668

CHAMBER ACTION

Senate

House

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The Committee on Home Defense, Public Security, and Ports
recommended the following amendment:

Senate Amendment (with title amendment)

On page 32, between lines 30 and 31,

insert:

Section 13. Paragraph (g) is added to subsection (7)
of section 212.055, Florida Statutes, to read:

212.055 Discretionary sales surtaxes; legislative
intent; authorization and use of proceeds.--It is the
legislative intent that any authorization for imposition of a
discretionary sales surtax shall be published in the Florida
Statutes as a subsection of this section, irrespective of the
duration of the levy. Each enactment shall specify the types
of counties authorized to levy; the rate or rates which may be
imposed; the maximum length of time the surtax may be imposed,
if any; the procedure which must be followed to secure voter
approval, if required; the purpose for which the proceeds may
be expended; and such other requirements as the Legislature
may provide. Taxable transactions and administrative

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1 procedures shall be as provided in s. 212.054.

2 (7) VOTER-APPROVED INDIGENT CARE SURTAX.--

3 (g) Notwithstanding any other provision of this
4 section, the governing body in each county the government of
5 which is not consolidated with that of one or more
6 municipalities and that has a population of less than 800,000
7 residents, or a municipality or special district within such
8 county, may levy, pursuant to an ordinance or resolution
9 conditioned to take effect only upon approval by a majority
10 vote of the electors of the county voting in a referendum, a
11 discretionary sales surtax at a rate that may not exceed 0.2
12 percent for the sole purpose of funding trauma services
13 provided by a trauma center licensed under chapter 395. A
14 county may not levy a discretionary sales surtax authorized in
15 this paragraph and this subsection in excess of a combined
16 rate of 0.5 percent.

17 1. A statement that includes a brief and general
18 description of the purposes to be funded by the surtax and
19 that conforms to the requirements of s. 101.161 shall be
20 placed on the ballot by the governing body of the county. The
21 following questions shall be placed on the ballot:

22 FOR THE....CENTS TAX

23 AGAINST THE....CENTS TAX

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25
26 2. The ordinance or resolution adopted by the
27 governing body of the county, municipality, or special
28 district providing for the imposition of the surtax shall set
29 forth a plan for providing trauma services to trauma victims
30 presenting in the trauma service area in which such county,
31 municipality, or special district is located.

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1 3. Moneys collected under this paragraph remain the
2 property of the state and shall be distributed by the
3 Department of Revenue on a regular and periodic basis to the
4 clerk of the circuit, the clerk of the municipality, or the
5 treasurer of the special district, as ex officio custodian of
6 the funds of the authorizing county, municipality, or special
7 district. The custodian of the funds shall:

8 a. Maintain the moneys in a trauma services trust
9 fund;

10 b. Invest any funds held on deposit in the trust fund
11 under general law;

12 c. Disburse the funds, including any interest earned,
13 to the trauma center in its trauma service area, as provided
14 in the plan set forth in subparagraph 2. upon directive from
15 the authorizing county, municipality, or special district. If
16 the trauma center receiving funds requests that such funds be
17 used to generate federal matching funds under Medicaid, the
18 custodian of the funds shall instead issue a check to the
19 Agency for Health Care Administration to accomplish that
20 purpose to the extent that is is allowed through the General
21 Appropriations Act; and

22 d. Prepare on a biennial basis an audit of the trauma
23 services trust fund specified in sub-subparagraph a., to be
24 delivered to the authorizing county, municipality, or special
25 district.

26 4. The provisions of paragraph (f) do not apply to a
27 surtax levied under this paragraph.

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29 (Redesignate subsequent sections.)
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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 3, line 5, following the semicolon,

4

5 insert:

6 providing that a governing body of certain
7 counties, municipalities, or special districts
8 may levy a sales surtax for the purpose of
9 funding of trauma services if approved by a
10 majority vote of the electors of the county;
11 requiring a statement regarding a brief
12 description of the purposes of the surtax to be
13 placed on the ballot by the governing body;
14 requiring the ordinance or resolution to set
15 forth a plan for providing trauma services;
16 requiring the Department of Revenue to
17 distribute moneys to the clerk of court or the
18 custodian of the funds; providing duties of the
19 custodian of the funds;

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