

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

.  
.
.

1 Representative Kyle offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 201.15, Florida Statutes, is reenacted  
6 to read:

7 201.15 Distribution of taxes collected.--All taxes  
8 collected under this chapter shall be distributed as follows and  
9 shall be subject to the service charge imposed in s. 215.20(1),  
10 except that such service charge shall not be levied against any  
11 portion of taxes pledged to debt service on bonds to the extent  
12 that the amount of the service charge is required to pay any  
13 amounts relating to the bonds:

14 (1) Sixty-two and sixty-three hundredths percent of the  
15 remaining taxes collected under this chapter shall be used for  
16 the following purposes:

599529

HOUSE AMENDMENT

Bill No. CS/CS/SB 2514

Amendment No. (for drafter's use only)

17 (a) Amounts as shall be necessary to pay the debt service  
18 on, or fund debt service reserve funds, rebate obligations, or  
19 other amounts payable with respect to Preservation 2000 bonds  
20 issued pursuant to s. 375.051 and Florida Forever bonds issued  
21 pursuant to s. 215.618, shall be paid into the State Treasury to  
22 the credit of the Land Acquisition Trust Fund to be used for  
23 such purposes. The amount transferred to the Land Acquisition  
24 Trust Fund for such purposes shall not exceed \$300 million in  
25 fiscal year 1999-2000 and thereafter for Preservation 2000 bonds  
26 and bonds issued to refund Preservation 2000 bonds, and \$300  
27 million in fiscal year 2000-2001 and thereafter for Florida  
28 Forever bonds. The annual amount transferred to the Land  
29 Acquisition Trust Fund for Florida Forever bonds shall not  
30 exceed \$30 million in the first fiscal year in which bonds are  
31 issued. The limitation on the amount transferred shall be  
32 increased by an additional \$30 million in each subsequent fiscal  
33 year, but shall not exceed a total of \$300 million in any fiscal  
34 year for all bonds issued. It is the intent of the Legislature  
35 that all bonds issued to fund the Florida Forever Act be retired  
36 by December 31, 2030. Except for bonds issued to refund  
37 previously issued bonds, no series of bonds may be issued  
38 pursuant to this paragraph unless such bonds are approved and  
39 the debt service for the remainder of the fiscal year in which  
40 the bonds are issued is specifically appropriated in the General  
41 Appropriations Act. For purposes of refunding Preservation 2000  
42 bonds, amounts designated within this section for Preservation  
43 2000 and Florida Forever bonds may be transferred between the  
44 two programs to the extent provided for in the documents

599529

Amendment No. (for drafter's use only)

45 | authorizing the issuance of the bonds. The Preservation 2000  
46 | bonds and Florida Forever bonds shall be equally and ratably  
47 | secured by moneys distributable to the Land Acquisition Trust  
48 | Fund pursuant to this section, except to the extent specifically  
49 | provided otherwise by the documents authorizing the issuance of  
50 | the bonds. No moneys transferred to the Land Acquisition Trust  
51 | Fund pursuant to this paragraph, or earnings thereon, shall be  
52 | used or made available to pay debt service on the Save Our Coast  
53 | revenue bonds.

54 |       (b) The remainder of the moneys distributed under this  
55 | subsection, after the required payment under paragraph (a),  
56 | shall be paid into the State Treasury to the credit of the Save  
57 | Our Everglades Trust Fund in amounts necessary to pay debt  
58 | service, provide reserves, and pay rebate obligations and other  
59 | amounts due with respect to bonds issued under s. 215.619.

60 |       (c) The remainder of the moneys distributed under this  
61 | subsection, after the required payments under paragraphs (a) and  
62 | (b), shall be paid into the State Treasury to the credit of the  
63 | Land Acquisition Trust Fund and may be used for any purpose for  
64 | which funds deposited in the Land Acquisition Trust Fund may  
65 | lawfully be used. Payments made under this paragraph shall  
66 | continue until the cumulative amount credited to the Land  
67 | Acquisition Trust Fund for the fiscal year under this paragraph  
68 | and paragraph (2)(b) equals 70 percent of the current official  
69 | forecast for distributions of taxes collected under this chapter  
70 | pursuant to subsection (2). As used in this paragraph, the term  
71 | "current official forecast" means the most recent forecast as  
72 | determined by the Revenue Estimating Conference. If the current

599529

Amendment No. (for drafter's use only)

73 official forecast for a fiscal year changes after payments under  
74 this paragraph have ended during that fiscal year, no further  
75 payments are required under this paragraph during the fiscal  
76 year.

77 (d) The remainder of the moneys distributed under this  
78 subsection, after the required payments under paragraphs (a),  
79 (b), and (c), shall be paid into the State Treasury to the  
80 credit of the General Revenue Fund of the state to be used and  
81 expended for the purposes for which the General Revenue Fund was  
82 created and exists by law or to the Ecosystem Management and  
83 Restoration Trust Fund or to the Marine Resources Conservation  
84 Trust Fund as provided in subsection (11).

85 (2) Seven and fifty-six hundredths percent of the  
86 remaining taxes collected under this chapter shall be used for  
87 the following purposes:

88 (a) Beginning in the month following the final payment for  
89 a fiscal year under paragraph (1)(c), available moneys shall be  
90 paid into the State Treasury to the credit of the General  
91 Revenue Fund of the state to be used and expended for the  
92 purposes for which the General Revenue Fund was created and  
93 exists by law or to the Ecosystem Management and Restoration  
94 Trust Fund or to the Marine Resources Conservation Trust Fund as  
95 provided in subsection (11). Payments made under this paragraph  
96 shall continue until the cumulative amount credited to the  
97 General Revenue Fund for the fiscal year under this paragraph  
98 equals the cumulative payments made under paragraph (1)(c) for  
99 the same fiscal year.

599529

Amendment No. (for drafter's use only)

100 (b) The remainder of the moneys distributed under this  
101 subsection shall be paid into the State Treasury to the credit  
102 of the Land Acquisition Trust Fund. Sums deposited in the fund  
103 pursuant to this subsection may be used for any purpose for  
104 which funds deposited in the Land Acquisition Trust Fund may  
105 lawfully be used.

106 (3) One and ninety-four hundredths percent of the  
107 remaining taxes collected under this chapter shall be paid into  
108 the State Treasury to the credit of the Land Acquisition Trust  
109 Fund. Moneys deposited in the trust fund pursuant to this  
110 section shall be used for the following purposes:

111 (a) Sixty percent of the moneys shall be used to acquire  
112 coastal lands or to pay debt service on bonds issued to acquire  
113 coastal lands; and

114 (b) Forty percent of the moneys shall be used to develop  
115 and manage lands acquired with moneys from the Land Acquisition  
116 Trust Fund.

117 (4) Four and two-tenths percent of the remaining taxes  
118 collected under this chapter shall be paid into the State  
119 Treasury to the credit of the Water Management Lands Trust Fund.  
120 Sums deposited in that fund may be used for any purpose  
121 authorized in s. 373.59.

122 (5) Four and two-tenths percent of the remaining taxes  
123 collected under this chapter shall be paid into the State  
124 Treasury to the credit of the Conservation and Recreation Lands  
125 Trust Fund to carry out the purposes set forth in s. 259.032.  
126 Nine and one-half percent of the amount credited to the  
127 Conservation and Recreation Lands Trust Fund pursuant to this

599529

Amendment No. (for drafter's use only)

128 subsection shall be transferred to the State Game Trust Fund and  
129 used for land management activities.

130 (6) Two and twenty-eight hundredths percent of the  
131 remaining taxes collected under this chapter shall be paid into  
132 the State Treasury to the credit of the Invasive Plant Control  
133 Trust Fund to carry out the purposes set forth in ss. 369.22 and  
134 369.252.

135 (7) One-half of one percent of the remaining taxes  
136 collected under this chapter shall be paid into the State  
137 Treasury to the credit of the State Game Trust Fund to be used  
138 exclusively for the purpose of implementing the Lake Restoration  
139 2020 Program.

140 (8) One-half of one percent of the remaining taxes  
141 collected under this chapter shall be paid into the State  
142 Treasury and divided equally to the credit of the Department of  
143 Environmental Protection Water Quality Assurance Trust Fund to  
144 address water quality impacts associated with nonagricultural  
145 nonpoint sources and to the credit of the Department of  
146 Agriculture and Consumer Services General Inspection Trust Fund  
147 to address water quality impacts associated with agricultural  
148 nonpoint sources, respectively. These funds shall be used for  
149 research, development, demonstration, and implementation of  
150 suitable best management practices or other measures used to  
151 achieve water quality standards in surface waters and water  
152 segments identified pursuant to ss. 303(d) of the Clean Water  
153 Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.  
154 Implementation of best management practices and other measures  
155 may include cost-share grants, technical assistance,

599529

Amendment No. (for drafter's use only)

156 implementation tracking, and conservation leases or other  
157 agreements for water quality improvement. The Department of  
158 Environmental Protection and the Department of Agriculture and  
159 Consumer Services may adopt rules governing the distribution of  
160 funds for implementation of best management practices. The  
161 unobligated balance of funds received from the distribution of  
162 taxes collected under this chapter to address water quality  
163 impacts associated with nonagricultural nonpoint sources will be  
164 excluded when calculating the unobligated balance of the Water  
165 Quality Assurance Trust Fund as it relates to the determination  
166 of the applicable excise tax rate.

167 (9) Seven and fifty-three hundredths percent of the  
168 remaining taxes collected under this chapter shall be paid into  
169 the State Treasury to the credit of the State Housing Trust Fund  
170 and shall be used as follows:

171 (a) Half of that amount shall be used for the purposes for  
172 which the State Housing Trust Fund was created and exists by  
173 law.

174 (b) Half of that amount shall be paid into the State  
175 Treasury to the credit of the Local Government Housing Trust  
176 Fund and shall be used for the purposes for which the Local  
177 Government Housing Trust Fund was created and exists by law.

178 (10) Eight and sixty-six hundredths percent of the  
179 remaining taxes collected under this chapter shall be paid into  
180 the State Treasury to the credit of the State Housing Trust Fund  
181 and shall be used as follows:

182 (a) Twelve and one-half percent of that amount shall be  
183 deposited into the State Housing Trust Fund and be expended by

599529

HOUSE AMENDMENT

Bill No. CS/CS/SB 2514

Amendment No. (for drafter's use only)

184 the Department of Community Affairs and by the Florida Housing  
185 Finance Corporation for the purposes for which the State Housing  
186 Trust Fund was created and exists by law.

187 (b) Eighty-seven and one-half percent of that amount shall  
188 be distributed to the Local Government Housing Trust Fund and  
189 shall be used for the purposes for which the Local Government  
190 Housing Trust Fund was created and exists by law. Funds from  
191 this category may also be used to provide for state and local  
192 services to assist the homeless.

193 (11) From the moneys specified in paragraphs (1)(d) and  
194 (2)(a) and prior to deposit of any moneys into the General  
195 Revenue Fund, \$30 million shall be paid into the State Treasury  
196 to the credit of the Ecosystem Management and Restoration Trust  
197 Fund in fiscal year 2000-2001 and each fiscal year thereafter,  
198 to be used for the preservation and repair of the state's  
199 beaches as provided in ss. 161.091-161.212, and \$2 million shall  
200 be paid into the State Treasury to the credit of the Marine  
201 Resources Conservation Trust Fund to be used for marine mammal  
202 care as provided in s. 370.0603(3).

203 (12) The Department of Revenue may use the payments  
204 credited to trust funds pursuant to paragraphs (1)(c) and (2)(b)  
205 and subsections (3), (4), (5), (6), (7), (8), (9), and (10) to  
206 pay the costs of the collection and enforcement of the tax  
207 levied by this chapter. The percentage of such costs which may  
208 be assessed against a trust fund is a ratio, the numerator of  
209 which is payments credited to that trust fund under this section  
210 and the denominator of which is the sum of payments made under

599529



Amendment No. (for drafter's use only)

211 paragraphs (1)(c) and (2)(b) and subsections (3), (4), (5), (6),  
212 (7), (8), (9), and (10).

213 (13) The distribution of proceeds deposited into the Water  
214 Management Lands Trust Fund and the Conservation and Recreation  
215 Lands Trust Fund, pursuant to subsections (4) and (5), shall not  
216 be used for land acquisition, but may be used for preacquisition  
217 costs associated with land purchases. The Legislature intends  
218 that the Florida Forever program supplant the acquisition  
219 programs formerly authorized under ss. 259.032 and 373.59. Prior  
220 to the 2005 Regular Session of the Legislature, the Acquisition  
221 and Restoration Council shall review and make recommendations to  
222 the Legislature concerning the need to repeal this provision.  
223 Based on these recommendations, the Legislature shall review the  
224 need to repeal this provision during the 2005 Regular Session.

225 (14) Amounts distributed pursuant to subsections (5), (6),  
226 (7) and (8) are subject to the payment of debt service on  
227 outstanding Conservation and Recreation Lands revenue bonds.

228 Section 2. This act shall take effect July 1, 2005.

229

230

231 ===== T I T L E A M E N D M E N T =====

232 Remove the entire title and insert:

233 A bill to be entitled

234 An act relating to the distribution of proceeds from the  
235 excise tax on documents; reenacting s. 201.15, F.S.;  
236 relating to distribution of taxes collected; providing an  
237 effective date.