

1 201.15 Distribution of taxes collected.--All taxes
2 collected under this chapter shall be distributed as follows
3 and shall be subject to the service charge imposed in s.
4 215.20(1), except that such service charge shall not be levied
5 against any portion of taxes pledged to debt service on bonds
6 to the extent that the amount of the service charge is
7 required to pay any amounts relating to the bonds:

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

11 (a) Amounts as shall be necessary to pay the debt
12 service on, or fund debt service reserve funds, rebate
13 obligations, or other amounts payable with respect to
14 Preservation 2000 bonds issued pursuant to s. 375.051 and
15 Florida Forever bonds issued pursuant to s. 215.618, shall be
16 paid into the State Treasury to the credit of the Land
17 Acquisition Trust Fund to be used for such purposes. The
18 amount transferred to the Land Acquisition Trust Fund ~~for such~~
19 ~~purposes~~ shall not exceed \$300 million in fiscal year
20 1999-2000 and thereafter for Preservation 2000 bonds and bonds
21 issued to refund Preservation 2000 bonds, and \$300 million in
22 fiscal year 2000-2001 and thereafter for Florida Forever
23 bonds. The annual amount transferred to the Land Acquisition
24 Trust Fund for Florida Forever bonds shall not exceed \$30
25 million in the first fiscal year in which bonds are issued.
26 The limitation on the amount transferred shall be increased by
27 an additional \$30 million in each subsequent fiscal year, but
28 shall not exceed a total of \$300 million in any fiscal year
29 for all bonds issued. It is the intent of the Legislature that
30 all bonds issued to fund the Florida Forever Act be retired by
31 December 31, 2030. Except for bonds issued to refund

1 | previously issued bonds, no series of bonds may be issued
2 | pursuant to this paragraph unless such bonds are approved and
3 | the debt service for the remainder of the fiscal year in which
4 | the bonds are issued is specifically appropriated in the
5 | General Appropriations Act. For purposes of refunding
6 | Preservation 2000 bonds, amounts designated within this
7 | section for Preservation 2000 and Florida Forever bonds may be
8 | transferred between the two programs to the extent provided
9 | for in the documents authorizing the issuance of the bonds.
10 | The Preservation 2000 bonds and Florida Forever bonds shall be
11 | equally and ratably secured by moneys distributable to the
12 | Land Acquisition Trust Fund pursuant to this section, except
13 | to the extent specifically provided otherwise by the documents
14 | authorizing the issuance of the bonds. No moneys transferred
15 | to the Land Acquisition Trust Fund pursuant to this paragraph,
16 | or earnings thereon, shall be used or made available to pay
17 | debt service on the Save Our Coast revenue bonds.

18 | (b) The remainder of the moneys distributed under this
19 | subsection, after the required payment under paragraph (a),
20 | shall be paid into the State Treasury to the credit of the
21 | Save Our Everglades Trust Fund in amounts necessary to pay
22 | debt service, provide reserves, and pay rebate obligations and
23 | other amounts due with respect to bonds issued under s.
24 | 215.619.

25 | (c) The remainder of the moneys distributed under this
26 | subsection, after the required payments under paragraphs (a)
27 | and (b), shall be paid into the State Treasury to the credit
28 | of the Land Acquisition Trust Fund and may be used for any
29 | purpose for which funds deposited in the Land Acquisition
30 | Trust Fund may lawfully be used. Payments made under this
31 | paragraph shall continue until the cumulative amount credited

1 to the Land Acquisition Trust Fund for the fiscal year under
2 this paragraph and paragraph (2)(b) equals 70 percent of the
3 current official forecast for distributions of taxes collected
4 under this chapter pursuant to subsection (2). As used in this
5 paragraph, the term "current official forecast" means the most
6 recent forecast as determined by the Revenue Estimating
7 Conference. If the current official forecast for a fiscal year
8 changes after payments under this paragraph have ended during
9 that fiscal year, no further payments are required ~~under this~~
10 ~~paragraph~~ during the fiscal year.

11 (d) The remainder of the moneys distributed under this
12 subsection, after the required payments under paragraphs (a),
13 (b), and (c), shall be paid into the State Treasury to the
14 credit of the General Revenue Fund ~~of the state~~ to be used and
15 expended for the purposes for which the General Revenue Fund
16 was created and exists by law or to the Ecosystem Management
17 and Restoration Trust Fund or to the Marine Resources
18 Conservation Trust Fund as provided in subsection (11).

19 (2) The lesser of seven and fifty-six hundredths
20 percent of the remaining taxes collected under this chapter or
21 \$84.9 million in each fiscal year shall be used for the
22 following purposes:

23 (a) Beginning in the month following the final payment
24 for a fiscal year under paragraph (1)(c), available moneys
25 shall be paid into the State Treasury to the credit of the
26 General Revenue Fund ~~of the state~~ to be used and expended for
27 the purposes for which the General Revenue Fund was created
28 and exists by law or to the Ecosystem Management and
29 Restoration Trust Fund or to the Marine Resources Conservation
30 Trust Fund as provided in subsection (11). Payments made under
31 this paragraph shall continue until the cumulative amount

1 credited to the General Revenue Fund for the fiscal year under
2 this paragraph equals the cumulative payments made under
3 paragraph (1)(c) for the same fiscal year.

4 (b) The remainder of the moneys distributed under this
5 subsection shall be paid into the State Treasury to the credit
6 of the Land Acquisition Trust Fund. Sums deposited in the fund
7 pursuant to this subsection may be used for any purpose for
8 which funds deposited in the Land Acquisition Trust Fund may
9 lawfully be used.

10 (3) The lesser of one and ninety-four hundredths
11 percent of the remaining taxes collected under this chapter or
12 \$26 million in each fiscal year shall be paid into the State
13 Treasury to the credit of the Land Acquisition Trust Fund.
14 Moneys deposited in the trust fund pursuant to this section
15 shall be used ~~for the following purposes:~~

16 ~~(a) Sixty percent of the moneys shall be used to~~
17 ~~acquire coastal lands or to pay debt service on bonds issued~~
18 ~~to acquire coastal lands; and~~

19 ~~(b) Forty percent of the moneys shall be used to~~
20 ~~develop and manage lands acquired with moneys from the Land~~
21 ~~Acquisition Trust Fund.~~

22 (4) The lesser of four and two-tenths percent of the
23 remaining taxes collected under this chapter or \$60.5 million
24 in each fiscal year shall be paid into the State Treasury to
25 the credit of the Water Management Lands Trust Fund. Sums
26 deposited in that fund may be used for any purpose authorized
27 in s. 373.59.

28 (5) Four and two-tenths percent of the remaining taxes
29 collected under this chapter shall be paid into the State
30 Treasury to the credit of the Conservation and Recreation
31 Lands Trust Fund to carry out the purposes set forth in s.

1 259.032. Nine and one-half percent of the amount credited to
2 the Conservation and Recreation Lands Trust Fund pursuant to
3 this subsection shall be transferred to the State Game Trust
4 Fund and used for land management activities.

5 (6) The lesser of two and twenty-eight hundredths
6 percent of the remaining taxes collected under this chapter or
7 \$36.1 million in each fiscal year shall be paid into the State
8 Treasury to the credit of the Invasive Plant Control Trust
9 Fund to carry out the purposes set forth in ss. 369.22 and
10 369.252.

11 (7) The lesser of one-half of one percent of the
12 remaining taxes collected under this chapter or \$9.3 million
13 in each fiscal year shall be paid into the State Treasury to
14 the credit of the State Game Trust Fund to be used exclusively
15 for the purpose of implementing the Lake Restoration 2020
16 Program.

17 (8) One-half of one percent of the remaining taxes
18 collected under this chapter shall be paid into the State
19 Treasury and divided equally to the credit of the Department
20 of Environmental Protection Water Quality Assurance Trust Fund
21 to address water quality impacts associated with
22 nonagricultural nonpoint sources and to the credit of the
23 Department of Agriculture and Consumer Services General
24 Inspection Trust Fund to address water quality impacts
25 associated with agricultural nonpoint sources, respectively.
26 These funds shall be used for research, development,
27 demonstration, and implementation of suitable best management
28 practices or other measures used to achieve water quality
29 standards in surface waters and water segments identified
30 pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No.
31 92-500, 33 U.S.C. ss. 1251 et seq. Implementation of best

1 management practices and other measures may include cost-share
2 grants, technical assistance, implementation tracking, and
3 conservation leases or other agreements for water quality
4 improvement. The Department of Environmental Protection and
5 the Department of Agriculture and Consumer Services may adopt
6 rules governing the distribution of funds for implementation
7 of best management practices. The unobligated balance of funds
8 received from the distribution of taxes collected under this
9 chapter to address water quality impacts associated with
10 nonagricultural nonpoint sources will be excluded when
11 calculating the unobligated balance of the Water Quality
12 Assurance Trust Fund as it relates to the determination of the
13 applicable excise tax rate.

14 (9) The lesser of seven and fifty-three hundredths
15 percent of the remaining taxes collected under this chapter or
16 \$107 million in each fiscal year shall be paid into the State
17 Treasury to the credit of the State Housing Trust Fund and
18 shall be used as follows:

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

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

26 (10) The lessor of eight and sixty-six hundredths
27 percent of the remaining taxes collected under this chapter or
28 \$136 million in each fiscal year shall be paid into the State
29 Treasury to the credit of the State Housing Trust Fund and
30 shall be used as follows:

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1 (a) Twelve and one-half percent of that amount shall
2 be deposited into the State Housing Trust Fund and be expended
3 by the Department of Community Affairs and by the Florida
4 Housing Finance Corporation for the purposes for which the
5 State Housing Trust Fund was created and exists by law.

6 (b) Eighty-seven and one-half percent of that amount
7 shall be distributed to the Local Government Housing Trust
8 Fund and shall be used for the purposes for which the Local
9 Government Housing Trust Fund was created and exists by law.
10 Funds from this category may also be used to provide for state
11 and local services to assist the homeless.

12 (11) From the moneys specified in paragraphs (1)(d)
13 and (2)(a) and prior to deposit of any moneys into the General
14 Revenue Fund, \$30 million shall be paid into the State
15 Treasury to the credit of the Ecosystem Management and
16 Restoration Trust Fund in fiscal year 2000-2001 and each
17 fiscal year thereafter, to be used for the preservation and
18 repair of the state's beaches as provided in ss.
19 161.091-161.212, and \$2 million shall be paid into the State
20 Treasury to the credit of the Marine Resources Conservation
21 Trust Fund to be used for marine mammal care as provided in s.
22 370.0603(3).

23 (12) The Department of Revenue may use the payments
24 credited to trust funds pursuant to paragraphs (1)(c) and
25 (2)(b) and subsections (3), (4), (5), (6), (7), (8), (9), and
26 (10) to pay the costs of the collection and enforcement of the
27 tax levied by this chapter. The percentage of such costs which
28 may be assessed against a trust fund is a ratio, the numerator
29 of which is payments credited to that trust fund under this
30 section and the denominator of which is the sum of payments
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1 made under paragraphs (1)(c) and (2)(b) and subsections (3),
2 (4), (5), (6), (7), (8), (9), and (10).

3 (13) The distribution of proceeds deposited into the
4 Water Management Lands Trust Fund and the Conservation and
5 Recreation Lands Trust Fund, pursuant to subsections (4) and
6 (5), shall not be used for land acquisition, but may be used
7 for preacquisition costs associated with land purchases. The
8 Legislature intends that the Florida Forever program supplant
9 the acquisition programs formerly authorized under ss. 259.032
10 and 373.59. Prior to the 2005 Regular Session of the
11 Legislature, the Acquisition and Restoration Council shall
12 review and make recommendations to the Legislature concerning
13 the need to repeal this provision. Based on these
14 recommendations, the Legislature shall review the need to
15 repeal this provision during the 2005 Regular Session.

16 (14) Amounts distributed pursuant to subsections (5),
17 (6), (7) and (8) are subject to the payment of debt service on
18 outstanding Conservation and Recreation Lands revenue bonds.

19 (15) Beginning July 1, 2008, in each fiscal year that
20 the remaining taxes collected under this chapter exceed such
21 collections in the prior fiscal year, the stated maximum
22 dollar amounts provided in subsections (2), (4), (6), (7),
23 (9), and (10) shall each be increased by an amount equal to 10
24 percent of the increase in the remaining taxes collected under
25 this chapter multiplied by the applicable percentage provided
26 in those subsections.

27 (16) If the payment requirements in any year for bonds
28 outstanding on July 1, 2007, or bonds issued to refund such
29 bonds, exceed the limitations of this section, distributions
30 to the trust fund from which the bond payments are made shall
31 be increased to the lesser of the amount needed to pay bond

1 obligations or the limit of the applicable percentage
2 distribution provided in subsections (1)-(12).

3 (17) Distributions to the State Housing Trust Fund
4 pursuant to subsections (9) and (10) shall be sufficient to
5 cover amounts required to be transferred to the Florida
6 Affordable Housing Guarantee Program's annual debt service
7 reserve and guarantee fund pursuant to s. 420.5092(6)(a) and
8 (b) up to but not exceeding the amount required to be
9 transferred to such reserve and fund based on the percentage
10 distribution of documentary stamp tax revenues to the State
11 Housing Trust Fund which is in effect in the 2004-2005 fiscal
12 year.

13 (18) The remaining taxes collected under this chapter,
14 after the distributions provided in the preceding subsections,
15 shall be paid into the State Treasury to the credit of the
16 General Revenue Fund.

17 Section 2. Effective July 1, 2005, there is
18 appropriated for the 2005-2006 fiscal year to the Florida
19 Housing Finance Corporation \$175,500,000 from the Local
20 Government Housing Trust Fund and \$74,500,000 from the State
21 Housing Trust Fund for the purpose of providing funds to
22 eligible entities for affordable housing recovery efforts as
23 recommended by the Hurricane Housing Work Group.

24 Section 3. To administer section 2 of this act, the
25 Florida Housing Finance Corporation may adopt emergency rules
26 pursuant to section 120.54, Florida Statutes. The Legislature
27 finds that emergency rules adopted pursuant to this section
28 meet the health, safety, and welfare requirement of section
29 120.54(4), Florida Statutes. The Legislature finds that such
30 emergency rulemaking power is necessary for the preservation
31 of the rights and welfare of the people in order to provide

1 additional funds to assist those areas of the state which
2 sustained housing damage due to hurricanes during 2004.
3 Therefore, in adopting such emergency rules, the corporation
4 need not make the findings required by section 120.54(4)(a),
5 Florida Statutes. Emergency rules adopted under this section
6 are exempt from section 120.54(4)(c), Florida Statutes, and
7 shall remain in effect for 180 days.

8 Section 4. Except as otherwise expressly provided in
9 this act, this act shall take effect July 1, 2007.

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