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A bill to be entitled
 An act relating to fiscally constrained counties; amending
 s. 212.20, F.S.; providing for a distribution of tax
 revenue to fiscally constrained counties; creating s.
 218.67, F.S.; providing eligibility criteria to qualify as
 a fiscally constrained county; providing for the
 distribution of additional funds to certain fiscally
 constrained counties; providing a methodology for
 calculating the distribution of funds to eligible
 counties; providing for a phase-out period; providing for
 the use of funds; amending s. 985.2155, F.S.; revising the
 definition of the term "fiscally constrained county";
 amending s. 288.1169, F.S.; correcting a cross reference;
 providing an effective date.

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

Section 1. Paragraph (d) of subsection (6) of section
 212.20, Florida Statutes, is amended to read:

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

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

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

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

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

37 3. After the distribution under subparagraphs 1. and 2.,
 38 8.814 percent of the amount remitted by a sales tax dealer
 39 located within a participating county pursuant to s. 218.61
 40 shall be transferred into the Local Government Half-cent Sales
 41 Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to
 42 be transferred pursuant to this subparagraph to the Local
 43 Government Half-cent Sales Tax Clearing Trust Fund shall be
 44 reduced by 0.1 percent, and the department shall distribute this
 45 amount to the Public Employees Relations Commission Trust Fund
 46 less \$5,000 each month, which shall be added to the amount
 47 calculated in subparagraph 4. and distributed accordingly.

48 4. After the distribution under subparagraphs 1., 2., and
 49 3., 0.095 percent of the available proceeds shall be transferred
 50 to the Local Government Half-cent Sales Tax Clearing Trust Fund
 51 and distributed pursuant to s. 218.65.

52 5. After the distributions under subparagraphs 1., 2., 3.,
 53 and 4., 2.0440 percent of the available proceeds ~~pursuant to~~
 54 ~~this paragraph~~ shall be transferred monthly to the Revenue
 55 Sharing Trust Fund for Counties pursuant to s. 218.215.

56 6. After the distributions under subparagraphs 1., 2., 3.,
 57 and 4., 1.3409 percent of the available proceeds ~~pursuant to~~
 58 ~~this paragraph~~ shall be transferred monthly to the Revenue
 59 Sharing Trust Fund for Municipalities pursuant to s. 218.215. If
 60 the total revenue to be distributed pursuant to this
 61 subparagraph is at least as great as the amount due from the
 62 Revenue Sharing Trust Fund for Municipalities and the former
 63 Municipal Financial Assistance Trust Fund in state fiscal year
 64 1999-2000, no municipality shall receive less than the amount
 65 due from the Revenue Sharing Trust Fund for Municipalities and
 66 the former Municipal Financial Assistance Trust Fund in state
 67 fiscal year 1999-2000. If the total proceeds to be distributed
 68 are less than the amount received in combination from the
 69 Revenue Sharing Trust Fund for Municipalities and the former
 70 Municipal Financial Assistance Trust Fund in state fiscal year
 71 1999-2000, each municipality shall receive an amount
 72 proportionate to the amount it was due in state fiscal year
 73 1999-2000.

74 7. After the distributions under subparagraphs 1., 2., 3.,
 75 and 4., 0.0841 percent of the available proceeds shall be
 76 transferred to the Local Government Half-cent Sales Tax Clearing
 77 Trust Fund and distributed pursuant to s. 218.67.

78 8.7. Of the remaining proceeds:
 79 a. In each fiscal year, the sum of \$29,915,500 shall be
 80 divided into as many equal parts as there are counties in the
 81 state, and one part shall be distributed to each county. The
 82 distribution among the several counties shall begin each fiscal
 83 year on or before January 5th and shall continue monthly for a

84 total of 4 months. If a local or special law required that any
85 moneys accruing to a county in fiscal year 1999-2000 under the
86 then-existing provisions of s. 550.135 be paid directly to the
87 district school board, special district, or a municipal
88 government, such payment shall continue until ~~such time that~~ the
89 local or special law is amended or repealed. The state covenants
90 with holders of bonds or other instruments of indebtedness
91 issued by local governments, special districts, or district
92 school boards prior to July 1, 2000, that it is not the intent
93 of this subparagraph to adversely affect the rights of those
94 holders or relieve local governments, special districts, or
95 district school boards of the duty to meet their obligations as
96 a result of previous pledges or assignments or trusts entered
97 into which obligated funds received from the distribution to
98 county governments under then-existing s. 550.135. This
99 distribution specifically is in lieu of funds distributed under
100 s. 550.135 prior to July 1, 2000.

101 b. The department shall distribute \$166,667 monthly
102 pursuant to s. 288.1162 to each applicant that has been
103 certified as a "facility for a new professional sports
104 franchise" or a "facility for a retained professional sports
105 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be
106 distributed monthly by the department to each applicant that has
107 been certified as a "facility for a retained spring training
108 franchise" pursuant to s. 288.1162; however, not more than
109 \$208,335 may be distributed monthly in the aggregate to all
110 certified facilities for a retained spring training franchise.
111 Distributions shall begin 60 days following such certification

112 and shall continue for not more than 30 years. Nothing contained
 113 in this paragraph shall be construed to allow an applicant
 114 certified pursuant to s. 288.1162 to receive more in
 115 distributions than actually expended by the applicant for the
 116 public purposes provided for in s. 288.1162(6). However, a
 117 certified applicant is entitled to receive distributions up to
 118 the maximum amount allowable and undistributed under this
 119 section for additional renovations and improvements to the
 120 facility for the franchise without additional certification.

121 c. Beginning 30 days after notice by the Office of
 122 Tourism, Trade, and Economic Development to the Department of
 123 Revenue that an applicant has been certified as the professional
 124 golf hall of fame pursuant to s. 288.1168 and is open to the
 125 public, \$166,667 shall be distributed monthly, for up to 300
 126 months, to the applicant.

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

136 9.8. All other proceeds shall remain with the General
 137 Revenue Fund.

138 Section 2. Section 218.67, Florida Statutes, is created to
 139 read:

140 218.67 Distribution for fiscally constrained counties.--

141 (1) Each county for which the value of a mill will raise
 142 no more than \$4 million in revenue, based on the property
 143 valuations and tax data annually published by the Department of
 144 Revenue under s. 195.052, shall be considered a fiscally
 145 constrained county.

146 (2) Each fiscally constrained county government that
 147 participates in the local government half-cent sales tax shall
 148 be eligible to receive an additional distribution from the Local
 149 Government Half-cent Sales Tax Clearing Trust Fund, as provided
 150 in s. 212.20, in addition to its regular monthly distribution
 151 provided under this part and any emergency or supplemental
 152 distribution under s. 218.65.

153 (3) The amount to be distributed to each fiscally
 154 constrained county shall be determined by the Department of
 155 Revenue at the beginning of the fiscal year, using the prior
 156 fiscal year property valuations, tax data, and population
 157 estimates and the latest available millage rate. The amount
 158 distributed shall be allocated based upon the following factors:

159 (a) The relative revenue-raising-capacity factor shall be
 160 the ability of the eligible county to generate ad valorem
 161 revenues from one mill of taxation on a per capita basis. A
 162 county that raises no more than \$25 per capita from one mill
 163 shall be assigned a value of 1; a county that raises more than
 164 \$25 but no more than \$30 per capita from one mill shall be
 165 assigned a value of 0.75; and a county that raises more than \$30
 166 but no more than \$50 per capita from one mill shall be assigned
 167 a value of 0.5. No value shall be assigned to counties that

168 raise more than \$50 per capita from one mill of ad valorem
169 taxation.

170 (b) The local-effort factor shall be a measure of the
171 relative level of local effort of the eligible county as
172 indicated by the latest available millage rate. The local-effort
173 factor shall be the most recently adopted countywide operating
174 millage rate for each eligible county multiplied by 0.1.

175 (c) Each eligible county's proportional allocation of the
176 total amount available to be distributed to all of the eligible
177 counties shall be in the same proportion as the sum of the
178 county's two factors is to the sum of the two factors for all
179 eligible counties. The counties that are eligible to receive an
180 allocation under this subsection and the amount available to be
181 distributed to such counties shall not include counties
182 participating in the phase-out period under subsection (4) nor
183 the amounts they remain eligible to receive during the phase-
184 out.

185 (4) For those counties that no longer qualify under the
186 requirements of subsection (1) after the effective date of this
187 act, there shall be a 2-year phase-out period. Beginning on July
188 1 of the year following the year in which the value of a mill
189 for that county exceeds \$4 million in revenue, the county shall
190 receive two-thirds of the amount received in the prior year, and
191 beginning on July 1 of the second year following the year in
192 which the value of a mill for that county exceeds \$4 million in
193 revenue, the county shall receive one-third of the amount
194 received in the last year that the county qualified as a
195 fiscally constrained county. Following the 2-year phase-out

196 period, the county shall no longer be eligible to receive any
 197 distributions under this section unless the county can be
 198 considered a fiscally constrained county as provided in
 199 subsection (1).

200 (5) The revenues received under this section may be used
 201 by a county for any public purpose, except that such revenues
 202 may not be used to pay debt service on bonds, notes,
 203 certificates of participation, or any other forms of
 204 indebtedness.

205 Section 3. Paragraph (b) of subsection (2) of section
 206 985.2155, Florida Statutes, is amended to read:

207 985.2155 Shared county and state responsibility for
 208 juvenile detention.--

209 (2) As used in this section, the term:

210 (b) "Fiscally constrained county" means a county
 211 ~~designated as a rural area of critical economic concern under s.~~
 212 ~~288.0656~~ for which the value of a mill in the county is no more
 213 than \$4 ~~\$3~~-million, based on the property valuations and tax
 214 data annually published by the Department of Revenue under s.
 215 195.052.

216 Section 4. Subsection (6) of section 288.1169, Florida
 217 Statutes, is amended to read:

218 288.1169 International Game Fish Association World Center
 219 facility.--

220 (6) The Department of Commerce must recertify every 10
 221 years that the facility is open, that the International Game
 222 Fish Association World Center continues to be the only
 223 international administrative headquarters, fishing museum, and

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224 Hall of Fame in the United States recognized by the
225 International Game Fish Association, and that the project is
226 meeting the minimum projections for attendance or sales tax
227 revenues as required at the time of original certification. If
228 the facility is not recertified during this 10-year review as
229 meeting the minimum projections, then funding will be abated
230 until certification criteria are met. If the project fails to
231 generate \$1 million of annual revenues pursuant to paragraph
232 (2)(e), the distribution of revenues pursuant to s.
233 212.20(6)(d)8.d. ~~212.20(6)(d)7.d.~~ shall be reduced to an amount
234 equal to \$83,333 multiplied by a fraction, the numerator of
235 which is the actual revenues generated and the denominator of
236 which is \$1 million. Such reduction shall remain in effect until
237 revenues generated by the project in a 12-month period equal or
238 exceed \$1 million.

239 Section 5. This act shall take effect July 1, 2005.