

Bill No. HB 1325, 2nd Eng.

Barcode 734720

CHAMBER ACTION

Senate

House

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Senator Saunders moved the following **amendment to amendment**
(834670):

Senate Amendment (with title amendment)

On page 11, between lines 26 and 27,

insert:

Section 2. 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:

1. In any fiscal year, the greater of \$500 million,
minus an amount equal to 4.6 percent of the proceeds of the
taxes collected pursuant to chapter 201, or 5 percent of all
other taxes and fees imposed pursuant to this chapter or

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1 remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be
2 deposited in monthly installments into the General Revenue
3 Fund.

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

7 3. After the distribution under subparagraphs 1. and
8 2., 8.814 percent of the amount remitted by a sales tax dealer
9 located within a participating county pursuant to s. 218.61
10 shall be transferred into the Local Government Half-cent Sales
11 Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to
12 be transferred pursuant to this subparagraph to the Local
13 Government Half-cent Sales Tax Clearing Trust Fund shall be
14 reduced by 0.1 percent, and the department shall distribute
15 this amount to the Public Employees Relations Commission Trust
16 Fund less \$5,000 each month, which shall be added to the
17 amount calculated in subparagraph 4. and distributed
18 accordingly.

19 4. After the distribution under subparagraphs 1., 2.,
20 and 3., 0.095 percent shall be transferred to the Local
21 Government Half-cent Sales Tax Clearing Trust Fund and
22 distributed pursuant to s. 218.65.

23 5. After the distributions under subparagraphs 1., 2.,
24 3., and 4., 2.0440 percent of the available proceeds pursuant
25 to this paragraph shall be transferred monthly to the Revenue
26 Sharing Trust Fund for Counties pursuant to s. 218.215.

27 6. After the distributions under subparagraphs 1., 2.,
28 3., and 4., 1.3409 percent of the available proceeds pursuant
29 to this paragraph shall be transferred monthly to the Revenue
30 Sharing Trust Fund for Municipalities pursuant to s. 218.215.

31 If the total revenue to be distributed pursuant to this

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1 subparagraph is at least as great as the amount due from the
2 Revenue Sharing Trust Fund for Municipalities and the former
3 Municipal Financial Assistance Trust Fund in state fiscal year
4 1999-2000, no municipality shall receive less than the amount
5 due from the Revenue Sharing Trust Fund for Municipalities and
6 the former Municipal Financial Assistance Trust Fund in state
7 fiscal year 1999-2000. If the total proceeds to be distributed
8 are less than the amount received in combination from the
9 Revenue Sharing Trust Fund for Municipalities and the former
10 Municipal Financial Assistance Trust Fund in state fiscal year
11 1999-2000, each municipality shall receive an amount
12 proportionate to the amount it was due in state fiscal year
13 1999-2000.

14 7. Of the remaining proceeds:

15 a. In each fiscal year, the sum of \$29,915,500 shall
16 be divided into as many equal parts as there are counties in
17 the state, and one part shall be distributed to each county.
18 The distribution among the several counties shall begin each
19 fiscal year on or before January 5th and shall continue
20 monthly for a total of 4 months. If a local or special law
21 required that any moneys accruing to a county in fiscal year
22 1999-2000 under the then-existing provisions of s. 550.135 be
23 paid directly to the district school board, special district,
24 or a municipal government, such payment shall continue until
25 such time that the local or special law is amended or
26 repealed. The state covenants with holders of bonds or other
27 instruments of indebtedness issued by local governments,
28 special districts, or district school boards prior to July 1,
29 2000, that it is not the intent of this subparagraph to
30 adversely affect the rights of those holders or relieve local
31 governments, special districts, or district school boards of

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1 the duty to meet their obligations as a result of previous
 2 pledges or assignments or trusts entered into which obligated
 3 funds received from the distribution to county governments
 4 under then-existing s. 550.135. This distribution
 5 specifically is in lieu of funds distributed under s. 550.135
 6 prior to July 1, 2000.

7 b. The department shall distribute \$166,667 monthly
 8 pursuant to s. 288.1162 to each applicant that has been
 9 certified as a "facility for a new professional sports
 10 franchise" or a "facility for a retained professional sports
 11 franchise" pursuant to s. 288.1162, with the eighth facility
 12 authorized pursuant to s. 288.1162(7) designated for a new
 13 professional sports franchise that commenced league play in
 14 this state in October, 1989. Up to \$41,667 shall be
 15 distributed monthly by the department to each applicant that
 16 has been certified as a "facility for a retained spring
 17 training franchise" pursuant to s. 288.1162; however, not more
 18 than \$208,335 may be distributed monthly in the aggregate to
 19 all certified facilities for a retained spring training
 20 franchise. Distributions shall begin 60 days following such
 21 certification and shall continue for not more than 30 years.
 22 Nothing contained in this paragraph shall be construed to
 23 allow an applicant certified pursuant to s. 288.1162 to
 24 receive more in distributions than actually expended by the
 25 applicant for the public purposes provided for in s.
 26 288.1162(6). However, a certified applicant is entitled to
 27 receive distributions up to the maximum amount allowable and
 28 undistributed under this section for additional renovations
 29 and improvements to the facility for the franchise without
 30 additional certification.

31 c. Beginning 30 days after notice by the Office of

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1 Tourism, Trade, and Economic Development to the Department of
 2 Revenue that an applicant has been certified as the
 3 professional golf hall of fame pursuant to s. 288.1168 and is
 4 open to the public, \$166,667 shall be distributed monthly, for
 5 up to 300 months, to the applicant.

6 d. Beginning 30 days after notice by the Office of
 7 Tourism, Trade, and Economic Development to the Department of
 8 Revenue that the applicant has been certified as the
 9 International Game Fish Association World Center facility
 10 pursuant to s. 288.1169, and the facility is open to the
 11 public, \$83,333 shall be distributed monthly, for up to 168
 12 months, to the applicant. This distribution is subject to
 13 reduction pursuant to s. 288.1169. A lump sum payment of
 14 \$999,996 shall be made, after certification and before July 1,
 15 2000.

16 8. All other proceeds shall remain with the General
 17 Revenue Fund.

18
 19 (Redesignate subsequent sections.)

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 21
 22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On page 13, line 12, after the semicolon,

25
 26 insert:

27 amending s. 212.20, F.S.; providing for the
 28 distribution of certain tax proceeds to an
 29 additional professional sports franchise;

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