

Bill No. SB 462

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1 ~~per hour. The development of such a system, which will link~~
 2 ~~Florida's five largest urban areas as defined in this act,~~
 3 ~~includes acquisition of right of way and the financing of~~
 4 ~~design and construction with construction beginning on or~~
 5 ~~before November 1, 2003. Further,~~ This act promotes the
 6 various growth management and environmental protection laws
 7 enacted by the Legislature and encourages and enhances the
 8 establishment of a state ~~high-speed~~ rail system. The
 9 Legislature ~~further~~ finds that:

10 (a) The coordination ~~implementation~~ of the various ~~a~~
 11 ~~high-speed rail systems~~ system in the state will result in
 12 overall social and environmental benefits, improvements in
 13 ambient air quality, better protection of water quality,
 14 greater preservation of wildlife habitat, less use of open
 15 space, and enhanced conservation of natural resources and
 16 energy.

17 (b) A state ~~high-speed~~ rail system, when developed in
 18 conjunction with sound land use planning, becomes an integral
 19 part in achieving growth management goals and encourages the
 20 use of public transportation to augment and implement land use
 21 and growth management goals and objectives.

22 (c) Development and utilization of a properly
 23 designed, constructed, and financed ~~high-speed~~ rail system and
 24 associated development can act as a catalyst for economic
 25 growth and development, mitigate unduly long and
 26 traffic-congested commutes for day-to-day commuters, create
 27 new employment opportunities, serve as a positive growth
 28 management system for building a better and more
 29 environmentally secure state, and serve a paramount public
 30 purpose by promoting the health, safety, and welfare of the
 31 citizens of the state.

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1 (d) Transportation benefits of a state ~~high-speed~~ rail
2 system include improved travel times and more reliable travel,
3 which will increase productivity and energy efficiency in the
4 state.

5 (2) The Legislature further finds that:

6 (a) Access to timely and efficient modes of passenger
7 transportation is necessary for travelers, visitors, and
8 day-to-day commuters, to the quality of life in the state, and
9 to the economy of the state.

10 (b) Technological advances in the state's
11 transportation system can significantly and positively affect
12 the ability of the state to attract and provide efficient
13 services for domestic and international tourists and therefore
14 increase revenue of the state.

15 (c) The geography of the state is suitable for the
16 construction and efficient operation of a state ~~high-speed~~
17 rail system.

18 (d) The public use of the state ~~high-speed~~ rail system
19 must be encouraged and assured in order to achieve the public
20 purpose and objectives set forth in this act. ~~In order to~~
21 ~~encourage the public use of the high-speed rail system and to~~
22 ~~protect the public investment in the system, it is necessary~~
23 ~~to provide an environment surrounding each high-speed rail~~
24 ~~station which will allow the development of associated~~
25 ~~development for the purpose of creating revenue in support of~~
26 ~~and for the high-speed rail system, enhance the safe movement~~
27 ~~of pedestrians and traffic into and out of the area, ensure~~
28 ~~the personal safety of high-speed rail system and related~~
29 ~~facility users and their personal property while the users are~~
30 ~~in the area of each station, and eliminate all conditions in~~
31 ~~the vicinity which constitute economic and social impediments~~

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1 ~~and barriers to the use of the high-speed rail system and~~
2 ~~associated development.~~

3 ~~(e) Areas surrounding certain proposed high-speed rail~~
4 ~~stations can, as a result of existing conditions, crime, and~~
5 ~~traffic congestion, pose a serious threat to the use of the~~
6 ~~high-speed rail system, reduce revenue from users, discourage~~
7 ~~pedestrian and traffic ingress and egress, retard sound growth~~
8 ~~and development, impair public investment, and consume an~~
9 ~~excessive amount of public revenues in the employment of~~
10 ~~police and other forms of public protection to adequately~~
11 ~~safeguard the high-speed rail system and its users. Such areas~~
12 ~~may require redevelopment, acquisition, clearance, or~~
13 ~~disposition, or joint public and private development to~~
14 ~~provide parking facilities, retail establishments,~~
15 ~~restaurants, hotels, or office facilities associated with or~~
16 ~~ancillary to the high-speed rail system and rail stations and~~
17 ~~to otherwise provide for an environment that will encourage~~
18 ~~the use of, and safeguard, the system.~~

19 ~~(e)(f)~~ The powers conferred by this act are for public
20 uses and purposes ~~as established by s. 19, Art. X of the State~~
21 ~~Constitution~~ for which public funds may be expended, and the
22 necessity in the public interest for the provisions of this
23 act herein enacted is ~~hereby~~ declared as a matter of
24 legislative determination ~~to implement the intent of s. 19,~~
25 ~~Art. X of the State Constitution.~~

26 ~~(f)(g)~~ Urban and social benefits include
27 revitalization of economically depressed areas, the
28 redirection of growth in a carefully and comprehensively
29 planned manner, and the creation of numerous employment
30 opportunities within inner-city areas.

31 ~~(g)(h)~~ The provisions of ~~contained in~~ this act are a

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1 | declaration of legislative intent that the state develop a
 2 | coordinated ~~high-speed~~ rail system to help solve
 3 | transportation problems and eliminate their negative effect on
 4 | the public ~~citizens of this state~~, and therefore serves a
 5 | public purpose.

6 | ~~(h)(i)~~ Joint development is a necessary planning,
 7 | financing, management, operation, and construction mechanism
 8 | to ensure the continued future development of an efficient and
 9 | economically viable ~~high-speed~~ rail system in this state.

10 | (3) It is the intent of the Legislature to authorize
 11 | the authority to implement innovative mechanisms required to
 12 | effect the joint public-private venture approach to planning,
 13 | locating, permitting, managing, financing, constructing,
 14 | operating, and maintaining a ~~high-speed~~ rail system for the
 15 | state, including providing incentives for revenue generation,
 16 | operation, construction, and management by the private sector.

17 | Section 3. Section 341.8203, Florida Statutes, is
 18 | amended to read:

19 | 341.8203 Definitions.--As used in this act, ~~unless the~~
 20 | ~~context clearly indicates otherwise~~, the term:

21 | (1) "Associated development" means property,
 22 | equipment, buildings, or other ancillary facilities which are
 23 | built, installed, or established to provide financing,
 24 | funding, or revenues for the planning, building, managing, and
 25 | operation of a ~~high-speed~~ rail system and which are associated
 26 | with or part of the rail stations. The term includes property,
 27 | including air rights, necessary for joint development, such as
 28 | parking facilities, retail establishments, restaurants,
 29 | hotels, offices, or other commercial, civic, residential, or
 30 | support facilities, and may also include property necessary to
 31 | protect or preserve the rail station area by reducing urban

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1 blight or traffic congestion or property necessary to
 2 accomplish any of the purposes set forth in this subsection
 3 which are reasonably anticipated or necessary.

4 (2) "Authority" means the Florida ~~High-Speed~~ Rail
 5 Authority and its agents. However, for purposes of s. 341.840,
 6 the term does not include any agent of the authority except as
 7 provided in that section.

8 ~~(3) "Central Florida" means the counties of Lake,~~
 9 ~~Seminole, Orange, Osceola, Citrus, Sumter, Volusia, Brevard,~~
 10 ~~Hernando, Pasco, Hillsborough, Pinellas, and Polk.~~

11 ~~(3)(4)~~ "DBOM contract" means the document and all
 12 concomitant rights approved by the authority providing the
 13 selected person or entity the exclusive right to design,
 14 build, operate, and maintain a ~~high-speed~~ rail system.

15 ~~(4)(5)~~ "DBOM & F contract" means the document and all
 16 concomitant rights approved by the authority providing the
 17 selected person or entity the exclusive right to design,
 18 build, operate, maintain, and finance a ~~high-speed~~ rail
 19 system.

20 ~~(5)(6)~~ "~~High-speed~~ Rail system" means any ~~high-speed~~
 21 fixed guideway system for transporting people or goods, ~~which~~
 22 ~~system is capable of operating at speeds in excess of 120~~
 23 ~~miles per hour,~~ including, but not limited to, a monorail
 24 system, dual track rail system, suspended rail system,
 25 magnetic levitation system, pneumatic repulsion system, or
 26 other system approved by the authority. The term includes a
 27 corridor and structures essential to the operation of the
 28 line, including the land, structures, improvements,
 29 rights-of-way, easements, rail lines, rail beds, guideway
 30 structures, switches, yards, parking facilities, power relays,
 31 switching houses, and rail stations and also includes

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1 facilities or equipment used exclusively for the purposes of
2 design, construction, operation, maintenance, or the financing
3 of the ~~high-speed~~ rail system.

4 ~~(6)(7)~~ "Joint development" means the planning,
5 managing, financing, or constructing of projects adjacent to,
6 functionally related to, or otherwise related to a ~~high-speed~~
7 rail system pursuant to agreements between any person, firm,
8 corporation, association, organization, agency, or other
9 entity, public or private.

10 ~~(8)~~ "~~Northeast Florida~~" means the counties of Nassau,
11 Duval, Clay, St. Johns, Putnam, Alachua, Marion, and Flagler.

12 ~~(9)~~ "~~Northwest Florida~~" means the counties of
13 Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington,
14 Jackson, Gadsden, Bay, Calhoun, Liberty, Gulf, Franklin, Leon,
15 Jefferson, Madison, Wakulla, Taylor, Hamilton, Suwannee,
16 Columbia, Baker, Union, Lafayette, Gilchrist, Dixie, Bradford,
17 and Levy.

18 ~~(7)(10)~~ "Rail station," "station," or "high-speed rail
19 station" means any structure or transportation facility that
20 is part of a ~~high-speed~~ rail system designed to accommodate
21 the movement of passengers from one mode of transportation to
22 another at which passengers board or disembark from
23 transportation conveyances and transfer from one mode of
24 transportation to another.

25 ~~(11)~~ "~~Selected person or entity~~" means the person or
26 entity to whom the authority awards a contract under s.
27 ~~341.834 to establish a high-speed rail system pursuant to this~~
28 ~~act.~~

29 ~~(12)~~ "~~Southeast Florida~~" means the counties of
30 Broward, Monroe, Miami Dade, Indian River, St. Lucie, Martin,
31 Okeechobee, and Palm Beach.

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1 ~~(13) "Southwest Florida" means the counties of~~
 2 ~~Manatee, Hardee, DeSoto, Sarasota, Highlands, Charlotte,~~
 3 ~~Glades, Lee, Hendry, and Collier.~~

4 ~~(14) "Urban areas" means Central Florida, Northeast~~
 5 ~~Florida, Northwest Florida, Southeast Florida, and Southwest~~
 6 ~~Florida.~~

7 Section 4. Section 341.821, Florida Statutes, is
 8 amended to read:

9 341.821 Florida ~~High-Speed~~ Rail Authority.--

10 (1) There is created and established a body politic
 11 and corporate, an agency of the state, to be known as the
 12 "Florida ~~High-Speed~~ Rail Authority," hereinafter referred to
 13 as the "authority."

14 (2)(a) The governing board of the authority shall
 15 consist of nine voting members appointed as follows:

16 1. Three members shall be appointed by the Governor,
 17 one of whom must have a background in the delivery of rail
 18 services in this state ~~area of environmental concerns, one of~~
 19 ~~whom must have a legislative background, and one of whom must~~
 20 ~~have a general business background.~~

21 2. Three members shall be appointed by the President
 22 of the Senate, one of whom must have a background in the
 23 delivery of rail services in this state ~~civil engineering, one~~
 24 ~~of whom must have a background in transportation construction,~~
 25 ~~and one of whom must have a general business background.~~

26 3. Three members shall be appointed by the Speaker of
 27 the House of Representatives, one of whom must have a ~~legal~~
 28 background in the delivery of rail services in this state, ~~one~~
 29 ~~of whom must have a background in financial matters,~~ and one
 30 of whom must have a general business background.

31 (b) The appointed members are ~~shall not be~~ subject to

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1 confirmation by the Senate. The ~~initial~~ term of each member
 2 ~~appointed by the Governor~~ shall be for ~~3~~ 4 years. ~~The initial~~
 3 ~~term of each member appointed by the President of the Senate~~
 4 ~~shall be for 3 years. The initial term of each member~~
 5 ~~appointed by the Speaker of the House of Representatives shall~~
 6 ~~be for 2 years. Succeeding terms for all members shall be for~~
 7 ~~terms of 4 years.~~

8 (c) A vacancy occurring during a term shall be filled
 9 by the respective appointing authority in the same manner as
 10 the original appointment and only for the balance of the
 11 unexpired term. An appointment to fill a vacancy shall be made
 12 within 60 days after the occurrence of the vacancy.

13 (d) The Secretary of Transportation shall be a
 14 nonvoting ex officio member of the board.

15 (e) The board shall elect one of its members as chair
 16 of the authority. The chair shall hold office at the will of
 17 the board. Five members of the board shall constitute a
 18 quorum, and the vote of five members shall be necessary for
 19 any action taken by the authority. The authority may meet upon
 20 the constitution of a quorum. No vacancy in the authority
 21 shall impair the right of a quorum of the board to exercise
 22 all rights and perform all duties of the authority.

23 (f) The members of the board shall not be entitled to
 24 compensation but shall be entitled to receive their travel and
 25 other necessary expenses as provided in s. 112.061.

26 (3) Notwithstanding any other law to the contrary, it
 27 shall not be or constitute a conflict of interest for a person
 28 having a background specified in this section to serve as a
 29 member of the authority. However, in each official decision to
 30 which this act is applicable, such member's firm or related
 31 entity may not have a financial or economic interest nor shall

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1 the authority contract with or conduct any business with a
2 member or such member's firm or directly related business
3 entity.

4 (4) The authority shall be assigned to the Department
5 of Transportation for administrative purposes. The authority
6 shall be a separate budget entity. The Department of
7 Transportation shall provide administrative support and
8 service to the authority to the extent requested by the chair
9 of the authority. The authority shall not be subject to
10 control, supervision, or direction by the Department of
11 Transportation in any manner, including, but not limited to,
12 personnel, purchasing, transactions involving real or personal
13 property, and budgetary matters.

14 Section 5. Subsection (1) of section 341.822, Florida
15 Statutes, is amended to read:

16 341.822 Powers and duties.--

17 (1) The authority created and established by this act
18 shall advise the Department of Transportation on issues
19 related to locating, planning, designing, financing,
20 constructing, maintaining, operating, and managing locate,
21 plan, design, finance, construct, maintain, own, operate,
22 administer, and manage the high-speed rail system in the
23 state.

24 Section 6. Section 341.824, Florida Statutes, is
25 amended to read:

26 341.824 Technical, scientific, or other assistance.--

27 (1) The Florida Transportation Commission, the
28 Department of Community Affairs, and the Department of
29 Environmental Protection shall, at the authority's request,
30 provide technical, scientific, or other assistance.

31 (2) The Department of Community Affairs shall, if

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1 requested, provide assistance to local governments in
 2 analyzing the land use and comprehensive planning aspects of
 3 this state's ~~the high-speed~~ rail system. The Department of
 4 Community Affairs shall assist the authority with the
 5 resolution of any conflicts between the system and adopted
 6 local comprehensive plans.

7 (3) The Department of Environmental Protection shall,
 8 if requested, provide assistance to local governments and
 9 other permitting agencies in analyzing the environmental
 10 aspects of this state's ~~the high-speed~~ rail system. The
 11 Department of Environmental Protection shall assist the
 12 authority and the contractor in expediting the approval of the
 13 necessary environmental permits for the system.

14 Section 7. Section 341.828, Florida Statutes, is
 15 amended to read:

16 341.828 Permitting.--

17 (1) The authority, for the purposes of permitting, may
 18 utilize one or more permitting processes provided for in
 19 statute, including, but not limited to, the metropolitan
 20 planning organization long-range transportation planning
 21 process as defined in s. 339.175(6) and (7), in conjunction
 22 with the Department of Transportation's work program process
 23 as defined in s. 339.135, or any permitting process now in
 24 effect or that may be in effect at the time of permitting and
 25 will provide the most timely and cost-effective permitting
 26 process.

27 (2) The authority shall work in cooperation with
 28 metropolitan planning organizations in areas where the
 29 ~~high-speed~~ rail system will be located. The metropolitan
 30 planning organizations shall cooperate with the authority and
 31 include the ~~high-speed~~ rail system alignment within their

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1 adopted long-range transportation plans and transportation
 2 improvement programs for the purposes of providing public
 3 information, consistency with the plans, and receipt of
 4 federal and state funds by the authority to support the
 5 ~~high-speed~~ rail system.

6 (3) For purposes of selecting a route alignments
 7 ~~alignment~~, the authority may use the project development and
 8 environment study process, including the efficient
 9 transportation decisionmaking system process as adopted by the
 10 Department of Transportation.

11 Section 8. Subsection (1) of section 341.829, Florida
 12 Statutes, is amended to read:

13 341.829 Conflict prevention, mitigation, and
 14 resolution.--

15 (1) The authority, in conjunction with the Executive
 16 Office of the Governor, the Department of Community Affairs,
 17 and the Department of Environmental Protection, shall develop
 18 and implement, within 180 days after the effective date of
 19 this act, a process to prevent, mitigate, and resolve, to the
 20 maximum extent feasible, any conflicts or potential conflicts
 21 of the elements of the ~~a high-speed~~ rail system with growth
 22 management requirements and environmental standards.

23 Section 9. Subsection (2) of section 341.830, Florida
 24 Statutes, is amended to read:

25 341.830 Procurement.--

26 (2) The authority is authorized to procure commodities
 27 and the services of a qualified person or entity to design,
 28 build, finance, operate, maintain, and implement a ~~high-speed~~
 29 rail system, including the use of a DBOM or DBOM & F method
 30 using a request for proposal, a request for qualifications, or
 31 an invitation to negotiate.

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1 Section 10. Section 341.840, Florida Statutes, is
2 amended to read:

3 341.840 Tax exemption.--

4 (1) The exercise of the powers granted by this act
5 will be in all respects for the benefit of the people of this
6 state, for the increase of their commerce, welfare, and
7 prosperity, and for the improvement of their health and living
8 conditions. The design, construction, operation, maintenance,
9 and financing of a ~~high-speed~~ rail system by the authority,
10 its agent, or the owner or lessee thereof, as ~~herein~~
11 authorized by this act, constitutes the performance of an
12 essential public function.

13 (2)(a) For the purposes of this section, the term
14 "authority" does not include agents of the authority other
15 than contractors who qualify as such pursuant to subsection
16 (7).

17 (b) For the purposes of this section, any item or
18 property that is within the definition of "associated
19 development" in s. 341.8203(1) shall not be considered to be
20 part of the ~~high-speed~~ rail system as defined in s.
21 341.8203(6).

22 (3)(a) Purchases or leases of tangible personal
23 property or real property by the authority, excluding agents
24 of the authority, are exempt from taxes imposed by chapter 212
25 as provided in s. 212.08(6). Purchases or leases of tangible
26 personal property that is incorporated into the ~~high-speed~~
27 rail system as a component part thereof, as determined by the
28 authority, by agents of the authority or the owner of the
29 ~~high-speed~~ rail system are exempt from sales or use taxes
30 imposed by chapter 212. Leases, rentals, or licenses to use
31 real property granted to agents of the authority or the owner

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1 of the elements of the ~~high-speed~~ rail system are exempt from
2 taxes imposed by s. 212.031 if the real property becomes part
3 of such system. The exemptions granted in this subsection do
4 not apply to sales, leases, or licenses by the authority,
5 agents of the authority, or the owner of the ~~high-speed~~ rail
6 system.

7 (b) The exemption granted in paragraph (a) to
8 purchases or leases of tangible personal property by agents of
9 the authority or by the owners ~~owner~~ of the elements of the
10 ~~high-speed~~ rail system applies only to property that becomes a
11 component part of such system. It does not apply to items,
12 including, but not limited to, cranes, bulldozers, forklifts,
13 other machinery and equipment, tools and supplies, or other
14 items of tangible personal property used in the construction,
15 operation, or maintenance of the ~~high-speed~~ rail system when
16 such items are not incorporated into the ~~high-speed~~ rail
17 system as a component part thereof.

18 (4) Any bonds or other security, and all notes,
19 mortgages, security agreements, letters of credit, or other
20 instruments that arise out of or are given to secure the
21 repayment of bonds or other security, issued by the authority,
22 or on behalf of the authority, their transfer, and the income
23 therefrom, including any profit made on the sale thereof,
24 shall at all times be free from taxation of every kind by the
25 state, the counties, and the municipalities and other
26 political subdivisions in the state. This subsection, however,
27 does not exempt from taxation or assessment the leasehold
28 interest of a lessee in any project or any other property or
29 interest owned by the lessee. The exemption granted by this
30 subsection is not applicable to any tax imposed by chapter 220
31 on interest income or profits on the sale of debt obligations

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1 owned by corporations.

2 ~~(5) When property of the authority is leased to~~
3 ~~another person or entity, the property shall be exempt from ad~~
4 ~~valorem taxation only if the use by the lessee qualifies the~~
5 ~~property for exemption under s. 196.199.~~

6 ~~(6) A leasehold interest held by the authority is not~~
7 ~~subject to intangible tax. However, if a leasehold interest~~
8 ~~held by the authority is subleased to a nongovernmental~~
9 ~~lessee, such subleasehold interest shall be deemed to be an~~
10 ~~interest described in s. 199.023(1)(d), and is subject to the~~
11 ~~intangible tax.~~

12 (5)(7)(a) In order to be considered an agent of the
13 authority for purposes of the exemption from sales and use tax
14 granted by subsection (3) for tangible personal property
15 incorporated into the ~~high-speed~~ rail system, a contractor of
16 the authority that purchases or fabricates such tangible
17 personal property must be certified by the authority as
18 provided in this subsection.

19 (b)1. A contractor must apply for a renewal of the
20 exemption not later than December 1 of each calendar year.

21 2. A contractor must apply to the authority on the
22 application form adopted by the authority, which shall develop
23 the form in consultation with the Department of Revenue.

24 3. The authority shall review each submitted
25 application and determine whether it is complete. The
26 authority shall notify the applicant of any deficiencies in
27 the application within 30 days. Upon receipt of a completed
28 application, the authority shall evaluate the application for
29 exemption under this subsection and issue a certification that
30 the contractor is qualified to act as an agent of the
31 authority for purposes of this section or a denial of such

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1 certification within 30 days. The authority shall provide the
2 Department of Revenue with a copy of each certification issued
3 upon approval of an application. Upon receipt of a
4 certification from the authority, the Department of Revenue
5 shall issue an exemption permit to the contractor.

6 (c)1. The contractor may extend a copy of its
7 exemption permit to its vendors in lieu of paying sales tax on
8 purchases of tangible personal property qualifying for
9 exemption under this section. Possession of a copy of the
10 exemption permit relieves the seller of the responsibility of
11 collecting tax on the sale, and the Department of Revenue
12 shall look solely to the contractor for recovery of tax upon a
13 determination that the contractor was not entitled to the
14 exemption.

15 2. The contractor may extend a copy of its exemption
16 permit to real property subcontractors supplying and
17 installing tangible personal property that is exempt under
18 subsection (3). Any such subcontractor is authorized to extend
19 a copy of the permit to the subcontractor's vendors in order
20 to purchase qualifying tangible personal property tax-exempt.
21 If the subcontractor uses the exemption permit to purchase
22 tangible personal property that is determined not to qualify
23 for exemption under subsection (3), the Department of Revenue
24 may assess and collect any tax, penalties, and interest that
25 are due from either the contractor holding the exemption
26 permit or the subcontractor that extended the exemption permit
27 to the seller.

28 (d) Any contractor authorized to act as an agent of
29 the authority under this section shall maintain the necessary
30 books and records to document the exempt status of purchases
31 and fabrication costs made or incurred under the permit. In

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1 addition, an authorized contractor extending its exemption
 2 permit to its subcontractors shall maintain a copy of the
 3 subcontractor's books, records, and invoices indicating all
 4 purchases made by the subcontractor under the authorized
 5 contractor's permit. If, in an audit conducted by the
 6 Department of Revenue, it is determined that tangible personal
 7 property purchased or fabricated claiming exemption under this
 8 section does not meet the criteria for exemption, the amount
 9 of taxes not paid at the time of purchase or fabrication shall
 10 be immediately due and payable to the Department of Revenue,
 11 together with the appropriate interest and penalty, computed
 12 from the date of purchase, in the manner prescribed by chapter
 13 212.

14 (e) If a contractor does not ~~fails to~~ apply for a
 15 ~~high-speed~~ rail system exemption permit, or if a contractor
 16 initially determined by the authority to not qualify for
 17 exemption is subsequently determined to be eligible, the
 18 contractor shall receive the benefit of the exemption in this
 19 subsection through a refund of previously paid taxes for
 20 transactions that otherwise would have been exempt. A refund
 21 may not be made for such taxes without the issuance of a
 22 certification by the authority that the contractor was
 23 authorized to make purchases tax-exempt and a determination by
 24 the Department of Revenue that the purchases qualified for the
 25 exemption.

26 (f) The authority may adopt rules governing the
 27 application process for exemption of a contractor as an
 28 authorized agent of the authority.

29 (g) The Department of Revenue may adopt rules
 30 governing the issuance and form of ~~high-speed~~ rail system
 31 exemption permits, the audit of contractors and subcontractors

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1 using such permits, the recapture of taxes on nonqualified
2 purchases, and the manner and form of refund applications.

3 Section 11. Sections 341.823, 341.827, 341.831,
4 341.832, 341.834, 341.835, 341.836, 341.837, 341.838, and
5 341.839, Florida Statutes, are repealed.

6 Section 12. This act shall take effect July 1, 2005.

7
8

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

10 And the title is amended as follows:

11 Delete everything before the enacting clause

12

13 and insert:

14

A bill to be entitled

15

An act relating to the Florida High-Speed Rail

16

Authority Act; renaming the authority as the

17

Florida Rail Authority; renaming the act;

18

amending s. 341.8201, F.S.; conforming the

19

short title; amending s. 341.8202, F.S.;

20

deleting certain intent provisions and

21

conforming other provisions; deleting

22

provisions relating to rail stations; amending

23

s. 341.8203, F.S.; revising definitions, to

24

conform; amending s. 341.821, F.S.; conforming

25

provisions; revising the membership of the

26

Florida Rail Authority; amending s. 341.822,

27

F.S.; revising the powers and duties of the

28

authority; amending ss. 341.824, 341.828,

29

341.829, 341.830, and 341.840, F.S.; conforming

30

provisions to changes made by the act;

31

repealing s. 341.823, F.S., which provides

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1 criteria for assessment and recommendations for
2 the high-speed rail system; repealing s.
3 341.827, F.S., which provides for service areas
4 for high-speed rail system; repealing s.
5 341.831, F.S., which provides for
6 prequalification of persons involved in the
7 design or construction of the high-speed rail
8 system; repealing s. 341.832, F.S., which
9 provides a request for a qualification process
10 for the system; repealing s. 341.834, F.S.,
11 which provides for the award of contracts
12 relating to the system; repealing s. 341.835,
13 F.S., which provides for the acquisition of
14 property and rights-of-way and disposal of land
15 relating to the system; repealing s. 341.836,
16 F.S., which provides for associated development
17 relating to the system; repealing s. 341.837,
18 F.S., which provides for the payment of
19 expenses relating to the system; repealing s.
20 341.838, which provides for the setting and
21 collection of rates, fees, rents, and charges
22 involving the system; repealing s. 341.839,
23 F.S., which provides intent regarding the
24 powers authorized in the Florida High-Speed
25 Railway Act and clarifies the independence of
26 the authority; providing an effective date.

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