

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Randolph offered the following:

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

4 Remove line 263, and insert:

5 Section 7. Effective July 1, 2012, paragraph (d) of  
6 subsection (6) of section 212.20, Florida Statutes, as amended  
7 by this act, is amended to read:

8 212.20 Funds collected, disposition; additional powers of  
9 department; operational expense; refund of taxes adjudicated  
10 unconstitutionally collected.--

11 (6) Distribution of all proceeds under this chapter and s.  
12 202.18(1)(b) and (2)(b) shall be as follows:

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

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

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

25           ~~3.2.~~ After the distribution under subparagraphs  
26 ~~subparagraph 1. and 2., 8.814 8.7955~~ percent of the amount  
27 remitted by a sales tax dealer located within a participating  
28 county pursuant to s. 218.61 shall be transferred into the Local  
29 Government Half-cent Sales Tax Clearing Trust Fund. Beginning  
30 July 1, 2003, the amount to be transferred pursuant to this  
31 subparagraph to the Local Government Half-cent Sales Tax  
32 Clearing Trust Fund shall be reduced by 0.1 percent, and the  
33 department shall distribute this amount to the Public Employees  
34 Relations Commission Trust Fund less \$5,000 each month, which  
35 shall be added to the amount calculated in subparagraph ~~4.3.~~ and  
36 distributed accordingly.

37           ~~4.3.~~ After the distribution under subparagraphs 1., 2.,  
38 and 3.2., 0.095 percent shall be transferred to the Local  
39 Government Half-cent Sales Tax Clearing Trust Fund and  
40 distributed pursuant to s. 218.65.

41           ~~5.4.~~ After the distributions under subparagraphs 1., 2.,  
42 3.2., and 4.3., 2.0440 2.0390 percent of the available proceeds

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43 pursuant to this paragraph shall be transferred monthly to the  
44 Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

45 ~~6.5.~~ After the distributions under subparagraphs 1., 2.,  
46 3.2., and 4.3., 1.3409 ~~1.3379~~ percent of the available proceeds  
47 pursuant to this paragraph shall be transferred monthly to the  
48 Revenue Sharing Trust Fund for Municipalities pursuant to s.  
49 218.215. If the total revenue to be distributed pursuant to this  
50 subparagraph is at least as great as the amount due from the  
51 Revenue Sharing Trust Fund for Municipalities and the former  
52 Municipal Financial Assistance Trust Fund in state fiscal year  
53 1999-2000, no municipality shall receive less than the amount  
54 due from the Revenue Sharing Trust Fund for Municipalities and  
55 the former Municipal Financial Assistance Trust Fund in state  
56 fiscal year 1999-2000. If the total proceeds to be distributed  
57 are less than the amount received in combination from the  
58 Revenue Sharing Trust Fund for Municipalities and the former  
59 Municipal Financial Assistance Trust Fund in state fiscal year  
60 1999-2000, each municipality shall receive an amount  
61 proportionate to the amount it was due in state fiscal year  
62 1999-2000.

63 ~~7.6.~~ Of the remaining proceeds:

64 a. In each fiscal year, the sum of \$29,915,500 shall be  
65 divided into as many equal parts as there are counties in the  
66 state, and one part shall be distributed to each county. The  
67 distribution among the several counties shall begin each fiscal  
68 year on or before January 5th and shall continue monthly for a  
69 total of 4 months. If a local or special law required that any  
70 moneys accruing to a county in fiscal year 1999-2000 under the  
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71 then-existing provisions of s. 550.135 be paid directly to the  
72 district school board, special district, or a municipal  
73 government, such payment shall continue until such time that the  
74 local or special law is amended or repealed. The state covenants  
75 with holders of bonds or other instruments of indebtedness  
76 issued by local governments, special districts, or district  
77 school boards prior to July 1, 2000, that it is not the intent  
78 of this subparagraph to adversely affect the rights of those  
79 holders or relieve local governments, special districts, or  
80 district school boards of the duty to meet their obligations as  
81 a result of previous pledges or assignments or trusts entered  
82 into which obligated funds received from the distribution to  
83 county governments under then-existing s. 550.135. This  
84 distribution specifically is in lieu of funds distributed under  
85 s. 550.135 prior to July 1, 2000.

86       b. The department shall distribute \$166,667 monthly  
87 pursuant to s. 288.1162 to each applicant that has been  
88 certified as a "facility for a new professional sports  
89 franchise" or a "facility for a retained professional sports  
90 franchise" pursuant to s. 288.1162. Up to \$41,667 shall be  
91 distributed monthly by the department to each applicant that has  
92 been certified as a "facility for a retained spring training  
93 franchise" pursuant to s. 288.1162; however, not more than  
94 \$416,670 may be distributed monthly in the aggregate to all  
95 certified facilities for a retained spring training franchise.  
96 Distributions shall begin 60 days following such certification  
97 and shall continue for not more than 30 years. Nothing contained  
98 in this paragraph shall be construed to allow an applicant

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99 certified pursuant to s. 288.1162 to receive more in  
100 distributions than actually expended by the applicant for the  
101 public purposes provided for in s. 288.1162(6).

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

108 d. Beginning 30 days after notice by the Office of  
109 Tourism, Trade, and Economic Development to the Department of  
110 Revenue that the applicant has been certified as the  
111 International Game Fish Association World Center facility  
112 pursuant to s. 288.1169, and the facility is open to the public,  
113 \$83,333 shall be distributed monthly, for up to 168 months, to  
114 the applicant. This distribution is subject to reduction  
115 pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be  
116 made, after certification and before July 1, 2000.

117 ~~8.7.~~ All other proceeds shall remain with the General  
118 Revenue Fund.

119 Section 8. Effective July 1, 2012, paragraph (a) of  
120 subsection (5) of section 11.45, Florida Statutes, as amended by  
121 this act, is amended to read:

122 11.45 Definitions; duties; authorities; reports; rules.--

123 (5) PETITION FOR AN AUDIT BY THE AUDITOR GENERAL.--

124 (a) The Legislative Auditing Committee shall direct the  
125 Auditor General to make an audit of any municipality whenever  
126 petitioned to do so by at least 20 percent of the registered  
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127 electors in the last general election of that municipality  
128 pursuant to this subsection. The supervisor of elections of the  
129 county in which the municipality is located shall certify  
130 whether or not the petition contains the signatures of at least  
131 20 percent of the registered electors of the municipality. After  
132 the completion of the audit, the Auditor General shall determine  
133 whether the municipality has the fiscal resources necessary to  
134 pay the cost of the audit. The municipality shall pay the cost  
135 of the audit within 90 days after the Auditor General's  
136 determination that the municipality has the available resources.  
137 If the municipality fails to pay the cost of the audit, the  
138 Department of Revenue shall, upon certification of the Auditor  
139 General, withhold from that portion of the distribution pursuant  
140 to s. 212.20(6)(d)~~6.5~~ which is distributable to such  
141 municipality, a sum sufficient to pay the cost of the audit and  
142 shall deposit that sum into the General Revenue Fund of the  
143 state.

144 Section 9. Effective July 1, 2012, paragraph (b) of  
145 subsection (2) of section 202.18, Florida Statutes, as amended  
146 by this act, is amended to read:

147 202.18 Allocation and disposition of tax proceeds.--The  
148 proceeds of the communications services taxes remitted under  
149 this chapter shall be treated as follows:

150 (2) The proceeds of the taxes remitted under s.  
151 202.12(1)(b) shall be divided as follows:

152 (b) Sixty-three percent of the remainder shall be  
153 allocated to the state and distributed pursuant to s. 212.20(6),  
154 except that the proceeds allocated pursuant to s.

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155 | 212.20(6)(d)~~3.2~~ shall be prorated to the participating counties  
156 | in the same proportion as that month's collection of the taxes  
157 | and fees imposed pursuant to chapter 212 and paragraph (1)(b).

158 |       Section 10. Effective July 1, 2012, subsection (3) of  
159 | section 218.245, Florida Statutes, as amended by this act, is  
160 | amended to read:

161 |       218.245 Revenue sharing; apportionment.--

162 |       (3) Revenues attributed to the increase in distribution to  
163 | the Revenue Sharing Trust Fund for Municipalities pursuant to s.  
164 | 212.20(6)(d)~~6.5~~ from 1.0715 percent to 1.3409 percent provided  
165 | in chapter 2003-402, Laws of Florida, shall be distributed to  
166 | each eligible municipality and any unit of local government  
167 | which is consolidated as provided by s. 9, Art. VIII of the  
168 | State Constitution of 1885, as preserved by s. 6(e), Art. VIII,  
169 | 1968 revised constitution, as follows: each eligible local  
170 | government's allocation shall be based on the amount it received  
171 | from the half-cent sales tax under s. 218.61 in the prior state  
172 | fiscal year divided by the total receipts under s. 218.61 in the  
173 | prior state fiscal year for all eligible local governments;  
174 | provided, however, for the purpose of calculating this  
175 | distribution, the amount received from the half-cent sales tax  
176 | under s. 218.61 in the prior state fiscal year by a unit of  
177 | local government which is consolidated as provided by s. 9, Art.  
178 | VIII of the State Constitution of 1885, as amended, and as  
179 | preserved by s. 6(e), Art. VIII, of the Constitution as revised  
180 | in 1968, shall be reduced by 50 percent for such local  
181 | government and for the total receipts. For eligible  
182 | municipalities that began participating in the allocation of  
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183 half-cent sales tax under s. 218.61 in the previous state fiscal  
184 year, their annual receipts shall be calculated by dividing  
185 their actual receipts by the number of months they participated,  
186 and the result multiplied by 12.

187 Section 11. Effective July 1, 2012, subsections (5), (6),  
188 and (7) of section 218.65, Florida Statutes, as amended by this  
189 act, are amended to read:

190 218.65 Emergency distribution.--

191 (5) At the beginning of each fiscal year, the Department  
192 of Revenue shall calculate a base allocation for each eligible  
193 county equal to the difference between the current per capita  
194 limitation times the county's population, minus prior year  
195 ordinary distributions to the county pursuant to ss.  
196 212.20(6)(d)~~3.2~~, 218.61, and 218.62. If moneys deposited into  
197 the Local Government Half-cent Sales Tax Clearing Trust Fund  
198 pursuant to s. 212.20(6)(d)~~4.3~~, excluding moneys appropriated  
199 for supplemental distributions pursuant to subsection (8), for  
200 the current year are less than or equal to the sum of the base  
201 allocations, each eligible county shall receive a share of the  
202 appropriated amount proportional to its base allocation. If the  
203 deposited amount exceeds the sum of the base allocations, each  
204 county shall receive its base allocation, and the excess  
205 appropriated amount, less any amounts distributed under  
206 subsection (6), shall be distributed equally on a per capita  
207 basis among the eligible counties.

208 (6) If moneys deposited in the Local Government Half-cent  
209 Sales Tax Clearing Trust Fund pursuant to s. 212.20(6)(d)~~4.3~~  
210 exceed the amount necessary to provide the base allocation to

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211 each eligible county, the moneys in the trust fund may be used  
212 to provide a transitional distribution, as specified in this  
213 subsection, to certain counties whose population has increased.  
214 The transitional distribution shall be made available to each  
215 county that qualified for a distribution under subsection (2) in  
216 the prior year but does not, because of the requirements of  
217 paragraph (2)(a), qualify for a distribution in the current  
218 year. Beginning on July 1 of the year following the year in  
219 which the county no longer qualifies for a distribution under  
220 subsection (2), the county shall receive two-thirds of the  
221 amount received in the prior year, and beginning July 1 of the  
222 second year following the year in which the county no longer  
223 qualifies for a distribution under subsection (2), the county  
224 shall receive one-third of the amount it received in the last  
225 year it qualified for the distribution under subsection (2). If  
226 insufficient moneys are available in the Local Government Half-  
227 cent Sales Tax Clearing Trust Fund to fully provide such a  
228 transitional distribution to each county that meets the  
229 eligibility criteria in this section, each eligible county shall  
230 receive a share of the available moneys proportional to the  
231 amount it would have received had moneys been sufficient to  
232 fully provide such a transitional distribution to each eligible  
233 county.

234 (7) There is hereby annually appropriated from the Local  
235 Government Half-cent Sales Tax Clearing Trust Fund the  
236 distribution provided in s. 212.20(6)(d)~~3.4~~ to be used for  
237 emergency and supplemental distributions pursuant to this  
238 section.

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239 Section 12. Effective July 1, 2012, subsection (6) of  
240 section 288.1169, Florida Statutes, as amended by this act, is  
241 amended to read:

242 288.1169 International Game Fish Association World Center  
243 facility.--

244 (6) The Department of Commerce must recertify every 10  
245 years that the facility is open, that the International Game  
246 Fish Association World Center continues to be the only  
247 international administrative headquarters, fishing museum, and  
248 Hall of Fame in the United States recognized by the  
249 International Game Fish Association, and that the project is  
250 meeting the minimum projections for attendance or sales tax  
251 revenues as required at the time of original certification. If  
252 the facility is not recertified during this 10-year review as  
253 meeting the minimum projections, then funding will be abated  
254 until certification criteria are met. If the project fails to  
255 generate \$1 million of annual revenues pursuant to paragraph  
256 (2)(e), the distribution of revenues pursuant to s.  
257 212.20(6)(d) ~~7.6~~-d. shall be reduced to an amount equal to  
258 \$83,333 multiplied by a fraction, the numerator of which is the  
259 actual revenues generated and the denominator of which is \$1  
260 million. Such reduction shall remain in effect until revenues  
261 generated by the project in a 12-month period equal or exceed \$1  
262 million.

263 Section 13. Except as expressly provided otherwise by this  
264 act, this act shall take effect July 1, 2007.

265  
266 ===== T I T L E A M E N D M E N T =====

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**(LATE FILED)**

HOUSE AMENDMENT

Bill No. CS/HB 7061

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267           Remove line 7 and insert:  
268 references; providing for future reversion of such provisions;  
269 providing effective dates.

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