

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Robaina offered the following:

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

4 Remove line(s) 308-348 and insert:

5 (5) Beginning in the 2009-2010 fiscal year and in each
6 year thereafter:

7 (a) The maximum millage rate that a county, municipality,
8 special district dependent to a county or municipality other
9 than a dependent fire or library district, municipal service
10 taxing unit, or independent special district may levy is a
11 rolled-back rate based on the amount of taxes which would have
12 been levied in the prior year if the maximum millage rate had
13 been applied, adjusted for growth in per capita Florida personal
14 income, unless a higher rate is adopted, in which case the
15 maximum is the adopted rate. The maximum millage rate applicable
16 to a county authorized to levy a county public hospital surtax
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17 under s. 212.055 shall exclude the revenues required to be
18 contributed to the county public general hospital for the
19 purposes of making the maximum millage rate calculation, but
20 shall be added back to the maximum millage rate allowed after
21 the roll back has been applied. A higher rate may be adopted
22 only under the following conditions:

23 1. A rate of not more than 110 percent of the rolled-back
24 rate based on the previous year's maximum millage rate, adjusted
25 for growth in per capita Florida personal income, may be adopted
26 if approved by a two-thirds vote of the governing body of the
27 county, municipality, or independent district; or

28 2. A rate in excess of 110 percent may be adopted if
29 approved by a unanimous vote of the governing body of the
30 county, municipality, or independent district or if the rate is
31 approved by a referendum.

32 (b) The millage rate of a county or municipality,
33 municipal service taxing unit of that county, and any special
34 district dependent to that county or municipality may exceed the
35 maximum millage rate calculated pursuant to this subsection if
36 the total county ad valorem taxes levied or total municipal ad
37 valorem taxes levied do not exceed the maximum total county ad
38 valorem taxes levied or maximum total municipal ad valorem taxes
39 levied respectively. Voted millage and taxes levied by a
40 municipality or independent special district that has levied ad
41 valorem taxes for less than 5 years are not subject to this
42 limitation. Total taxes levied may exceed the maximum calculated
43 pursuant to subsection (6) as a result of an increase in taxable
44 value above that certified in subsection (1) if such increase is

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45 less than the percentage amounts contained in subsection (6);
46 however, if such increase in taxable value exceeds the
47 percentage amounts contained in this subsection, millage rates
48 subject to subsection (6), s. 200.185, or s. 200.186 must be
49 reduced so that total taxes levied do not exceed the maximum.

50
51 For any unit of government operating under a home rule charter
52 adopted pursuant to ss. 10, 11, and 24, Art. VIII of the State
53 Constitution of 1885, as preserved by s. 6(e), Art. VIII of the
54 State Constitution of 1968, which is granted the authority in
55 the State Constitution to exercise all the powers conferred now
56 or hereafter by general law upon municipalities and which
57 exercises such powers in the unincorporated area shall be
58 recognized as a municipality under this subsection.

59
60 ===== T I T L E A M E N D M E N T =====

61 Remove line(s) 13 and insert:
62 year; providing an exception for calculating the rolled-back
63 rate for certain counties; recognizing that certain governmental
64 units are municipalities; providing for higher millage rates if
65 adopted by