

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Cannon offered the following:

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

4 Remove lines 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,
9 municipal service taxing unit, or independent special district
10 may levy is a rolled-back rate based on the amount of taxes
11 which would have been levied in the prior year if the maximum
12 millage rate had been applied, adjusted for growth in per capita
13 Florida personal income, unless a higher rate is adopted, in
14 which case the maximum is the adopted rate. The maximum millage
15 rate applicable to a county authorized to levy a county public
16 hospital surtax under s. 212.055 shall exclude the revenues

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17 required to be contributed to the county public general hospital
18 for the purposes of making the maximum millage rate calculation,
19 but shall be added back to the maximum millage rate allowed
20 after the roll back has been applied. A higher rate may be
21 adopted only under the following conditions:

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

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

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

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45 however, if such increase in taxable value exceeds the
46 percentage amounts contained in this subsection, millage rates
47 subject to subsection (5), s. 200.185, or s. 200.186 must be
48 reduced so that total taxes levied do not exceed the maximum.

49
50 Any unit of government operating under a home rule charter
51 adopted pursuant to ss. 10, 11, and 24, Art. VIII of the State
52 Constitution of 1885, as preserved by s. 6(e), Art. VIII of the
53 State Constitution of 1968, which is granted the authority in
54 the State Constitution to exercise all the powers conferred now
55 or hereafter by general law upon municipalities and which
56 exercises such powers in the unincorporated area shall be
57 recognized as a municipality under this subsection.

58
59
60 ===== T I T L E A M E N D M E N T =====

61 Remove line 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