

1 A bill to be entitled
 2 An act relating to regional transportation authorities;
 3 amending s. 120.52, F.S.; revising a definition; amending
 4 s. 212.0606, F.S.; providing for deposit of a certain
 5 percentage of rental car surcharge revenues into accounts
 6 of regional transportation authorities; requiring the
 7 Department of Revenue to provide authorities with certain
 8 annual surcharge revenue information; amending s. 341.303,
 9 F.S.; relieving the department's funding obligation to
 10 certain regional transportation authorities to conform;
 11 revising the department's obligation to fund certain
 12 regional transportation authorities under certain
 13 circumstances; amending s. 343.58, F.S.; relieving certain
 14 counties of certain funding obligations to the South
 15 Florida Regional Transportation Authority under certain
 16 circumstances to conform; providing an effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

19
 20 Section 1. Subsection (1) of section 120.52, Florida
 21 Statutes, is amended to read:

22 120.52 Definitions.--As used in this act:

23 (1) "Agency" means:

24 (a) The Governor in the exercise of all executive powers
 25 other than those derived from the constitution.

26 (b) Each:

27 1. State officer and state department, and each
 28 departmental unit described in s. 20.04.

29 | 2. Authority, including a regional water supply authority.

30 | 3. Board, including the Board of Governors of the State
 31 | University System and a state university board of trustees when
 32 | acting pursuant to statutory authority derived from the
 33 | Legislature.

34 | 4. Commission, including the Commission on Ethics and the
 35 | Fish and Wildlife Conservation Commission when acting pursuant
 36 | to statutory authority derived from the Legislature.

37 | 5. Regional planning agency.

38 | 6. Multicounty special district with a majority of its
 39 | governing board comprised of nonelected persons.

40 | 7. Educational units.

41 | 8. Entity described in chapters 163, 373, 380, and 582 and
 42 | s. 186.504.

43 | (c) Each other unit of government in the state, including
 44 | counties and municipalities, to the extent they are expressly
 45 | made subject to this act by general or special law or existing
 46 | judicial decisions.

47 |

48 | This definition does not include any legal entity or agency
 49 | created in whole or in part pursuant to chapter 361, part II,
 50 | any metropolitan planning organization created pursuant to s.
 51 | 339.175, any separate legal or administrative entity created
 52 | pursuant to s. 339.175 of which a metropolitan planning
 53 | organization is a member, an expressway authority pursuant to
 54 | chapter 348 or any transportation authority under chapter 343 or
 55 | chapter 349, any legal or administrative entity created by an
 56 | interlocal agreement pursuant to s. 163.01(7), unless any party

57 | to such agreement is otherwise an agency as defined in this
 58 | subsection, or any multicounty special district with a majority
 59 | of its governing board comprised of elected persons; however,
 60 | this definition shall include a regional water supply authority.

61 | Section 2. Paragraph (c) is added to subsection (2) of
 62 | section 212.0606, Florida Statutes, to read:

63 | 212.0606 Rental car surcharge.--

64 | (2)

65 | (c) Notwithstanding any other provision of law, in fiscal
 66 | year 2008-2009 and each year thereafter, 80 percent of the
 67 | proceeds of this surcharge collected in each county within the
 68 | service territory of the regional transportation authority
 69 | established under part I of chapter 343 shall be deposited into
 70 | an account of the authority and 80 percent of the proceeds of
 71 | this surcharge collected in each county within the service
 72 | territory of a regional transportation authority established
 73 | under part II, part III, part IV, or part V of chapter 343 may
 74 | be deposited into an account of the authority. The department
 75 | shall provide each regional transportation authority with rental
 76 | car surcharge revenue information for the previous state fiscal
 77 | year by September 1 of each year.

78 | Section 3. Paragraph (a) of subsection (4) of section
 79 | 341.303, Florida Statutes, is amended to read:

80 | 341.303 Funding authorization and appropriations;
 81 | eligibility and participation.--

82 | (4) FUND PARTICIPATION; SERVICE DEVELOPMENT.--

83 | (a) The department may ~~is authorized to~~ fund up to 50
 84 | percent of the net operating costs of any eligible intercity or

85 | commuter rail service development project that is local in
 86 | scope, not to exceed the local match, except the department has
 87 | no obligation to provide such funding to any regional
 88 | transportation authority established pursuant to chapter 343 if
 89 | such authority receives a recurring dedicated funding source
 90 | that provides 80 percent of the amount of rental car surcharge
 91 | proceeds collected pursuant to s. 212.0606(2)(c) in counties
 92 | within the authority's service territory or an equivalent
 93 | recurring funding source and after receipt of funds from such
 94 | recurring dedicated funding source begins. If such receipt of
 95 | funds begins in the middle of a fiscal year, the department's
 96 | funding of any of the authority's operating costs pursuant to
 97 | this paragraph shall be prorated. If the funding source is
 98 | discontinued for any reason, the department shall have the same
 99 | authorization to fund net operating costs of the authority as
 100 | any other commuter rail service in the state.

101 | Section 4. Section 343.58, Florida Statutes, is amended to
 102 | read:

103 | 343.58 County funding for the South Florida Regional
 104 | Transportation Authority.--

105 | (1) Each county served by the South Florida Regional
 106 | Transportation Authority must dedicate and transfer not less
 107 | than \$2.67 million to the authority annually. The recurring
 108 | annual \$2.67 million must be dedicated by the governing body of
 109 | each county before October 31 of each fiscal year.

110 | (2) ~~If At least \$45 million of a state-authorized, local~~
 111 | ~~option recurring funding source is dedicated available to~~
 112 | ~~Broward, Miami Dade, and Palm Beach counties is directed to the~~

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113 authority to fund its capital, operating, and maintenance
114 expenses, which source provides at least 80 percent of the
115 amount of rental car surcharge revenues collected pursuant to s.
116 212.0606 in counties within the authority's service territory or
117 is an equivalent recurring funding source, counties within the
118 authority's service territory may be relieved of their funding
119 obligation under subsection (3). ~~The funding source shall be~~
120 ~~dedicated to the authority only if Broward, Miami Dade, and Palm~~
121 ~~Beach counties impose the local option funding source.~~

122 (3) In addition, each county shall continue to annually
123 fund the operations of the South Florida Regional Transportation
124 Authority in an amount not less than \$1.565 million. Revenue
125 raised pursuant to this subsection shall also be considered a
126 dedicated funding source.

127 (4) ~~The current funding obligations under subsections (1)~~
128 ~~and (3) shall cease upon commencement of the collection of~~
129 ~~funding from the funding source under subsection (2).~~ If the
130 funding under subsection (2) is discontinued for any reason, the
131 funding obligations under subsections (1) and (3) shall resume
132 when collection from the funding source under subsection (2)
133 ceases. If counties are relieved of any funding obligations
134 under subsection (3):

135 (a) Payment by the counties shall be on a pro rata basis
136 the first year following collection ~~cessation~~ of the funding
137 under subsection (2).

138 (b) The authority shall refund a pro rata share of the
139 payments for the current fiscal year made pursuant to the
140 current funding obligations under subsections (1) and (3) as

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141 | soon as reasonably practicable after it begins to receive funds
142 | under subsection (2).

143

144 | If, by December 31, 2015, the South Florida Regional
145 | Transportation Authority has not received federal matching funds
146 | based upon the dedication of funds under subsection (1),
147 | subsection (1) shall be repealed.

148 | Section 5. This act shall take effect July 1, 2008.