

1 A bill to be entitled
 2 An act relating to the discretionary surtax on documents;
 3 amending s. 3, ch. 83-220, Laws of Florida, as amended;
 4 extending a future repeal date of provisions authorizing
 5 counties to levy a discretionary surtax on documents;
 6 amending s. 201.031, F.S.; expanding requirements for
 7 counties levying the discretionary surtax to include
 8 auditing, housing plan, and annual reporting requirements;
 9 limiting the percentage of surtax revenues that may be
 10 used for administrative costs; specifying a minimum amount
 11 of surtax revenues to be used for housing for certain low-
 12 income and moderate-income families; providing an
 13 effective date.

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 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Section 3 of chapter 83-220, Laws of Florida,
 18 as amended by section 1 of chapter 84-270, Laws of Florida, and
 19 section 1 of chapter 89-252, Laws of Florida, is amended to
 20 read:

21 Section 3. Sections 1 and 2 of chapter 83-220, Laws of
 22 Florida, as amended by this act, are repealed effective October
 23 1, 2031 ~~2011~~.

24 Section 2. Section 201.031, Florida Statutes, is amended
 25 to read:

26 201.031 Discretionary surtax; administration and
 27 collection; Housing Assistance Loan Trust Fund; reporting
 28 requirements.--

29 (1) Each county, as defined by s. 125.011(1), may levy,
 30 subject to the provisions of s. 125.0167, a discretionary surtax
 31 on documents taxable under the provisions of s. 201.02, except
 32 that there shall be no surtax on any document pursuant to which
 33 the interest granted, assigned, transferred, or conveyed
 34 involves only a single-family residence. The ~~Such~~ single-family
 35 residence may be a condominium unit, a unit held through stock
 36 ownership or membership representing a proprietary interest in a
 37 corporation owning a fee or a leasehold initially in excess of
 38 98 years, or a detached dwelling.

39 (2) All provisions of chapter 201, except s. 201.15, ~~shall~~
 40 apply to the surtax. The Department of Revenue shall pay to the
 41 governing authority of the county which levies the surtax all
 42 taxes, penalties, and interest collected under this section less
 43 any costs of administration.

44 (3) Each county that ~~which~~ levies the surtax shall:

45 (a) Include in the financial report required under s.
 46 218.32 information showing the revenues and the expenses of the
 47 trust fund for the fiscal year.

48 (b) Retain an independent outside auditor to conduct a
 49 financial audit of surtax revenues and expenditures annually,
 50 the cost of which may not be considered an administrative cost.

51 (c) Adopt, by resolution of its governing body, a housing
 52 plan every 3 years that includes provisions substantially
 53 similar to the plans required in s. 420.9075(1).

54 (d) Require, by resolution of its governing body, that the
 55 staff or entity that has administrative authority for
 56 implementing the housing plan prepare and submit to the county's

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57 governing body an annual report substantially similar to the
58 annual report required in s. 420.9075(10).

59 (4) No more than 10 percent of surtax revenues collected
60 by the Department of Revenue and remitted to the county in any
61 fiscal year may be used for administrative costs.

62 (5) At least 50 percent of the revenues collected shall be
63 used to finance construction, rehabilitation, or purchase of
64 housing for extremely-low-income, very-low-income, low-income,
65 and moderate-income families as provided in s. 420.0004.

66 Section 3. This act shall take effect upon becoming a law.