

By Senator Alexander

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1 A bill to be entitled

2 An act relating to the charter county transit system
3 surtax; amending s. 212.055, F.S.; renaming the surtax;
4 expanding the eligibility to levy the surtax to all
5 charter counties; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Subsection (1) of section 212.055, Florida
10 Statutes, is amended to read:

11 212.055 Discretionary sales surtaxes; legislative intent;
12 authorization and use of proceeds.--It is the legislative intent
13 that any authorization for imposition of a discretionary sales
14 surtax shall be published in the Florida Statutes as a subsection
15 of this section, irrespective of the duration of the levy. Each
16 enactment shall specify the types of counties authorized to levy;
17 the rate or rates which may be imposed; the maximum length of
18 time the surtax may be imposed, if any; the procedure which must
19 be followed to secure voter approval, if required; the purpose
20 for which the proceeds may be expended; and such other
21 requirements as the Legislature may provide. Taxable transactions
22 and administrative procedures shall be as provided in s. 212.054.

23 (1) CHARTER COUNTY TRANSPORTATION ~~TRANSIT~~ SYSTEM SURTAX.--

24 (a) Each charter county that has ~~which~~ adopted a charter
25 ~~prior to January 1, 1984~~, and each county the government of which
26 is consolidated with that of one or more municipalities, may levy
27 a discretionary sales surtax, subject to approval by a majority
28 vote of the electorate of the county or by a charter amendment
29 approved by a majority vote of the electorate of the county.

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30 (b) The rate shall be up to 1 percent.

31 (c) The proposal to adopt a discretionary sales surtax as
32 provided in this subsection and to create a trust fund within the
33 county accounts shall be placed on the ballot in accordance with
34 law at a time to be set at the discretion of the governing body.

35 (d) Proceeds from the surtax shall be applied to as many or
36 as few of the uses enumerated below in whatever combination the
37 county commission deems appropriate:

38 1. Deposited by the county in the trust fund and shall be
39 used for the purposes of development, construction, equipment,
40 maintenance, operation, supportive services, including a
41 countywide bus system, and related costs of a fixed guideway
42 rapid transit system;

43 2. Remitted by the governing body of the county to an
44 expressway, transit, or transportation authority created by law
45 to be used, at the discretion of such authority, for the
46 development, construction, operation, or maintenance of roads or
47 bridges in the county, for the operation and maintenance of a bus
48 system, for the payment of principal and interest on existing
49 bonds issued for the construction of such roads or bridges, and,
50 upon approval by the county commission, such proceeds may be
51 pledged for bonds issued to refinance existing bonds or new bonds
52 issued for the construction of such roads or bridges;

53 3. Used by the charter county for the development,
54 construction, operation, and maintenance of roads and bridges in
55 the county; for the expansion, operation, and maintenance of bus
56 and fixed guideway systems; and for the payment of principal and
57 interest on bonds issued for the construction of fixed guideway
58 rapid transit systems, bus systems, roads, or bridges; and such

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59 | proceeds may be pledged by the governing body of the county for
60 | bonds issued to refinance existing bonds or new bonds issued for
61 | the construction of such fixed guideway rapid transit systems,
62 | bus systems, roads, or bridges and no more than 25 percent used
63 | for nontransit uses; and

64 | 4. Used by the charter county for the planning,
65 | development, construction, operation, and maintenance of roads
66 | and bridges in the county; for the planning, development,
67 | expansion, operation, and maintenance of bus and fixed guideway
68 | systems; and for the payment of principal and interest on bonds
69 | issued for the construction of fixed guideway rapid transit
70 | systems, bus systems, roads, or bridges; and such proceeds may be
71 | pledged by the governing body of the county for bonds issued to
72 | refinance existing bonds or new bonds issued for the construction
73 | of such fixed guideway rapid transit systems, bus systems, roads,
74 | or bridges. Pursuant to an interlocal agreement entered into
75 | pursuant to chapter 163, the governing body of the charter county
76 | may distribute proceeds from the tax to a municipality, or an
77 | expressway or transportation authority created by law to be
78 | expended for the purpose authorized by this paragraph.

79 | Section 2. This act shall take effect July 1, 2008.