



099274

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/10/2008	.	
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1 The Committee on Transportation and Economic Development  
2 Appropriations (Fasano) recommended the following **amendment:**

3  
4 **Senate Amendment (with title amendment)**

5 Between line(s) 62 and 63,  
6 insert:

7  
8 Section 1. Paragraph (d) of subsection (2) of section  
9 212.055, Florida Statutes, is amended to read:

10 212.055 Discretionary sales surtaxes; legislative intent;  
11 authorization and use of proceeds.--It is the legislative intent  
12 that any authorization for imposition of a discretionary sales  
13 surtax shall be published in the Florida Statutes as a subsection  
14 of this section, irrespective of the duration of the levy. Each  
15 enactment shall specify the types of counties authorized to levy;  
16 the rate or rates which may be imposed; the maximum length of  
17 time the surtax may be imposed, if any; the procedure which must



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18 | be followed to secure voter approval, if required; the purpose  
19 | for which the proceeds may be expended; and such other  
20 | requirements as the Legislature may provide. Taxable transactions  
21 | and administrative procedures shall be as provided in s. 212.054.

22 | (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.--

23 | (d)~~1.~~ The proceeds of the surtax authorized by this  
24 | subsection and any accrued interest ~~accrued thereto~~ shall be  
25 | expended by the school district, ~~or~~ within the county and  
26 | municipalities within the county, or, in the case of a negotiated  
27 | joint county agreement, within another county, to finance, plan,  
28 | and construct infrastructure; ~~and~~ to acquire land for public  
29 | recreation, ~~or~~ conservation, ~~or~~ protection of natural resources;  
30 | or ~~and~~ to finance the closure of county-owned or municipally  
31 | owned solid waste landfills that have been ~~are already~~ closed or  
32 | are required to be closed ~~close~~ by order of the Department of  
33 | Environmental Protection. Any use of the ~~such~~ proceeds or  
34 | interest for purposes of landfill closure before ~~prior to~~ July 1,  
35 | 1993, is ratified. ~~Neither~~ The proceeds and ~~nor~~ any interest may  
36 | not ~~accrued thereto~~ shall be used for the operational expenses of  
37 | ~~any~~ infrastructure, except that a ~~any~~ county that has ~~with~~ a  
38 | population of fewer ~~less~~ than 75,000 and that is required to  
39 | close a landfill ~~by order of the Department of Environmental~~  
40 | ~~Protection~~ may use the proceeds or ~~any~~ interest ~~accrued thereto~~  
41 | for long-term maintenance costs associated with landfill closure.  
42 | Counties, as defined in s. 125.011 ~~s. 125.011(1)~~, and charter  
43 | counties may, in addition, use the proceeds or ~~and~~ ~~any~~ interest  
44 | ~~accrued thereto~~ to retire or service indebtedness incurred for  
45 | bonds issued before ~~prior to~~ July 1, 1987, for infrastructure  
46 | purposes, and for bonds subsequently issued to refund such bonds.  
47 | Any use of the ~~such~~ proceeds or interest for purposes of retiring



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48 or servicing indebtedness incurred for ~~such~~ refunding bonds  
49 before ~~prior to~~ July 1, 1999, is ratified.

50 ~~1.2.~~ For the purposes of this paragraph, the term  
51 "infrastructure" means:

52 a. Any fixed capital expenditure or fixed capital outlay  
53 associated with the construction, reconstruction, or improvement  
54 of public facilities that have a life expectancy of 5 or more  
55 years and any related land acquisition, land improvement, design,  
56 and engineering costs ~~related thereto~~.

57 b. A fire department vehicle, an emergency medical service  
58 vehicle, a sheriff's office vehicle, a police department vehicle,  
59 or any other vehicle, and the ~~such~~ equipment necessary to outfit  
60 the vehicle for its official use or equipment that has a life  
61 expectancy of at least 5 years.

62 c. Any expenditure for the construction, lease, or  
63 maintenance of, or provision of utilities or security for,  
64 facilities, as defined in s. 29.008.

65 d. Any fixed capital expenditure or fixed capital outlay  
66 associated with the improvement of private facilities that have a  
67 life expectancy of 5 or more years and that the owner agrees to  
68 make available for use on a temporary basis as needed by a local  
69 government as a public emergency shelter or a staging area for  
70 emergency response equipment during an emergency officially  
71 declared by the state or by the local government under s. 252.38.  
72 Such improvements ~~under this sub-subparagraph~~ are limited to  
73 those necessary to comply with current standards for public  
74 emergency evacuation shelters. The owner must ~~shall~~ enter into a  
75 written contract with the local government providing the  
76 improvement funding to make the ~~such~~ private facility available  
77 to the public for purposes of emergency shelter at no cost to the



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78 | local government for a minimum ~~period~~ of 10 years after  
79 | completion of the improvement, with the provision that the ~~such~~  
80 | obligation will transfer to any subsequent owner until the end of  
81 | the minimum period.

82 |       e. Any land acquisition for a residential housing project  
83 | that provides affordable or workforce housing units, as described  
84 | in chapter 420, if the land is owned by a local government or by  
85 | a special district that enters into a written agreement with the  
86 | local government to provide such housing. The local government or  
87 | special district may enter into a ground lease with a public or  
88 | private person or entity for nominal or other consideration for  
89 | the construction of the residential housing project on land  
90 | acquired pursuant to this subsection.

91 |       ~~2.3.~~ Notwithstanding any other provision of this  
92 | subsection, a local government infrastructure ~~discretionary sales~~  
93 | ~~surtax imposed or extended after July 1, 1998, the effective date~~  
94 | ~~of this act~~ may allocate up to ~~provide for an amount not to~~  
95 | ~~exceed~~ 15 percent of the ~~local option sales~~ surtax proceeds ~~to be~~  
96 | ~~allocated~~ for deposit in ~~to~~ a trust fund within the county's  
97 | accounts created for the purpose of funding economic development  
98 | projects having ~~of~~ a general public purpose of improving ~~targeted~~  
99 | ~~to improve~~ local economies, including the funding of operational  
100 | costs and incentives related to ~~such~~ economic development. The  
101 | ballot statement must indicate the intention to make an  
102 | allocation under the authority of this subparagraph.

103 |  
104 | ===== T I T L E   A M E N D M E N T =====

105 | And the title is amended as follows:

106 |       On line(s) 2, after the semicolon,  
107 | insert:



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108 |  
109 |       amending s. 212.055, F.S.; redefining the term  
110 |       "infrastructure" to allow the proceeds of a local  
111 |       government infrastructure surtax to be used to purchase  
112 |       land for the construction of affordable or workforce  
113 |       housing units;