

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Seiler offered the following:

2
3 **Amendment (with ballot and title amendments)**

4 Remove line(s) 17-104 and insert:
5 revenue limitation.--

6 (a) No tax shall be levied except in pursuance of law. No
7 state ad valorem taxes shall be levied upon real estate or
8 tangible personal property. All other forms of taxation shall be
9 preempted to the state except as provided by general law.

10 (b) Motor vehicles, boats, airplanes, trailers, trailer
11 coaches and mobile homes, as defined by law, shall be subject to
12 a license tax for their operation in the amounts and for the
13 purposes prescribed by law, but shall not be subject to ad
14 valorem taxes.

15 (c) No money shall be drawn from the treasury except in
16 pursuance of appropriation made by law.

039705

4/22/2008 7:08 AM

Amendment No.

17 (d) Provision shall be made by law for raising sufficient
18 revenue to defray the expenses of the state for each fiscal
19 period.

20 (e) Except as provided herein, state revenues collected
21 for any fiscal year shall be limited to state revenues allowed
22 under this subsection for the prior fiscal year plus an
23 adjustment for growth. As used in this subsection, "growth"
24 means an amount equal to ~~the average annual rate of growth in~~
25 ~~Florida personal income over the most recent twenty quarters~~
26 ~~times~~ the state revenues allowed under this subsection for the
27 prior fiscal year multiplied by the sum of one percentage point
28 plus the combined average annual rate of change in population
29 and in the Consumer Price Index as initially reported by the
30 United States Department of Labor, or successor reports, over
31 the most recent five years. For the 2009-2010 ~~1995-1996~~ fiscal
32 year, the state revenues allowed under this subsection for the
33 prior fiscal year shall equal the state revenues collected in
34 the 2007-2008 fiscal year plus an adjustment for growth for the
35 2008-2009 ~~1994-1995~~ fiscal year. ~~Florida personal income shall~~
36 ~~be determined by the legislature, from information available~~
37 ~~from the United States Department of Commerce or its successor~~
38 ~~on the first day of February prior to the beginning of the~~
39 ~~fiscal year.~~ State revenues collected for any fiscal year in
40 excess of this limitation shall be transferred to the budget
41 stabilization fund until the fund reaches the maximum balance
42 specified in Section 19(g) of Article III, or returned ~~and~~
43 ~~thereafter shall be refunded~~ to taxpayers as provided by general
44 law. State revenues allowed under this subsection for any fiscal

039705

4/22/2008 7:08 AM

Amendment No.

45 year may be increased by a two-thirds vote of the membership of
46 each house of the legislature in a separate bill that contains
47 no other subject and that sets forth the dollar amount by which
48 the state revenues allowed will be increased. The vote may not
49 be taken less than seventy-two hours after the third reading of
50 the bill. For purposes of this subsection, "state revenues"
51 means taxes, fees, licenses, fines, and charges for services
52 imposed by the legislature on individuals, businesses, or
53 agencies outside state government. However, "state revenues"
54 does not include: revenues that are necessary to meet the
55 requirements set forth in documents authorizing the issuance of
56 bonds by the state prior to July 1, 2008; ~~revenues that are used~~
57 ~~to provide matching funds for the federal Medicaid program with~~
58 ~~the exception of the revenues used to support the Public Medical~~
59 ~~Assistance Trust Fund or its successor program and with the~~
60 ~~exception of state matching funds used to fund elective~~
61 ~~expansions made after July 1, 1994~~; proceeds from the state
62 lottery returned as prizes; receipts of the Florida Hurricane
63 Catastrophe Fund and Citizens Property Insurance Corporation;
64 receipts of public universities and community colleges; balances
65 carried forward from prior fiscal years; taxes, licenses, fees,
66 and charges for services imposed by local, regional, or school
67 district governing bodies; or revenue from taxes, licenses,
68 fees, and charges for services required to be imposed by any
69 amendment or revision to this constitution after July 1, 1994.
70 An adjustment to the revenue limitation shall be made by general
71 law to reflect the fiscal impact of transfers of responsibility
72 for the funding of governmental functions between the state and

039705

4/22/2008 7:08 AM

Amendment No.

73 other levels of government. The legislature shall, by general
74 law, prescribe procedures necessary to administer this
75 subsection.

76
77

78 ===== B A L L O T S T A T E M E N T A M E N D M E N T =====

79 Remove line 109-119 and insert:

80 STATE REVENUE LIMITATIONS.--Proposing an amendment to the
81 State Constitution to revise the state revenue limitation by
82 providing that state revenue growth shall be limited to changes
83 in population and inflation, plus one percentage point, and by
84 changing the types of revenues that are subject to the
85 limitation.

86
87
88

89 **T I T L E A M E N D M E N T**

90 Remove line(s) 4-5 and insert:
91 revenue limitation.