

1 A bill to be entitled
 2 An act relating to the charter county transit system
 3 surtax; amending s. 212.055, F.S.; requiring interlocal
 4 agreements in certain counties to be updated no less than
 5 every 5 years to include certain municipalities; providing
 6 an effective date.

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

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 10 Section 1. Paragraph (d) of subsection (1) of section
 11 212.055, Florida Statutes, is amended to read:

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

25 (1) CHARTER COUNTY TRANSIT SYSTEM SURTAX.--

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

29 | 1. Deposited by the county in the trust fund and shall be
30 | used for the purposes of development, construction, equipment,
31 | maintenance, operation, supportive services, including a
32 | countywide bus system, and related costs of a fixed guideway
33 | rapid transit system;

34 | 2. Remitted by the governing body of the county to an
35 | expressway or transportation authority created by law to be
36 | used, at the discretion of such authority, for the development,
37 | construction, operation, or maintenance of roads or bridges in
38 | the county, for the operation and maintenance of a bus system,
39 | for the payment of principal and interest on existing bonds
40 | issued for the construction of such roads or bridges, and, upon
41 | approval by the county commission, such proceeds may be pledged
42 | for bonds issued to refinance existing bonds or new bonds issued
43 | for the construction of such roads or bridges;

44 | 3. Used by the charter county for the development,
45 | construction, operation, and maintenance of roads and bridges in
46 | the county; for the expansion, operation, and maintenance of bus
47 | and fixed guideway systems; and for the payment of principal and
48 | interest on bonds issued for the construction of fixed guideway
49 | rapid transit systems, bus systems, roads, or bridges; and such
50 | proceeds may be pledged by the governing body of the county for
51 | bonds issued to refinance existing bonds or new bonds issued for
52 | the construction of such fixed guideway rapid transit systems,
53 | bus systems, roads, or bridges and no more than 25 percent used
54 | for nontransit uses; and

55 | 4. Used by the charter county for the planning,
56 | development, construction, operation, and maintenance of roads

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57 | and bridges in the county; for the planning, development,
58 | expansion, operation, and maintenance of bus and fixed guideway
59 | systems; and for the payment of principal and interest on bonds
60 | issued for the construction of fixed guideway rapid transit
61 | systems, bus systems, roads, or bridges; and such proceeds may
62 | be pledged by the governing body of the county for bonds issued
63 | to refinance existing bonds or new bonds issued for the
64 | construction of such fixed guideway rapid transit systems, bus
65 | systems, roads, or bridges. Pursuant to an interlocal agreement
66 | entered into pursuant to chapter 163, the governing body of the
67 | charter county may distribute proceeds from the tax to a
68 | municipality, or an expressway or transportation authority
69 | created by law to be expended for the purpose authorized by this
70 | paragraph. Any charter county that has entered into interlocal
71 | agreements for distribution of proceeds to one or more
72 | municipalities in the county shall revise such interlocal
73 | agreements no less than every 5 years in order to include any
74 | municipalities that have been created since the prior interlocal
75 | agreements were executed.

76 | Section 2. This act shall take effect July 1, 2009.