

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

9  
 10   Be It Enacted by the Legislature of the State of Florida:

11  
 12           Section 1. Subsection (1) of section 212.055, Florida  
 13   Statutes, is amended to read:

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

- 27           (1) CHARTER COUNTY TRANSPORTATION ~~TRANSIT~~ SYSTEM SURTAX.--  
 28           (a) Each charter county that has ~~which~~ adopted a charter

29 ~~prior to January 1, 1984~~, and each county the government of  
 30 which is consolidated with that of one or more municipalities,  
 31 may levy a discretionary sales surtax, subject to approval by a  
 32 majority vote of the electorate of the county or by a charter  
 33 amendment approved by a majority vote of the electorate of the  
 34 county.

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

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

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

44 1. Deposited by the county in the trust fund and shall be  
 45 used for the purposes of development, construction, equipment,  
 46 maintenance, operation, supportive services, including a  
 47 countywide bus system, and related costs of a fixed guideway  
 48 rapid transit system;

49 2. Remitted by the governing body of the county to an  
 50 expressway, transit, or transportation authority created by law  
 51 to be used, at the discretion of such authority, for the  
 52 development, construction, operation, or maintenance of roads or  
 53 bridges in the county, for the operation and maintenance of a  
 54 bus system, for the payment of principal and interest on  
 55 existing bonds issued for the construction of such roads or  
 56 bridges, and, upon approval by the county commission, such

57 | proceeds may be pledged for bonds issued to refinance existing  
58 | bonds or new bonds issued for the construction of such roads or  
59 | bridges;

60 |       3. Used by the charter county for the development,  
61 | construction, operation, and maintenance of roads and bridges in  
62 | the county; for the expansion, operation, and maintenance of bus  
63 | and fixed guideway systems; and for the payment of principal and  
64 | interest on bonds issued for the construction of fixed guideway  
65 | rapid transit systems, bus systems, roads, or bridges; and such  
66 | proceeds may be pledged by the governing body of the county for  
67 | bonds issued to refinance existing bonds or new bonds issued for  
68 | the construction of such fixed guideway rapid transit systems,  
69 | bus systems, roads, or bridges and no more than 25 percent used  
70 | for nontransit uses; and

71 |       4. Used by the charter county for the planning,  
72 | development, construction, operation, and maintenance of roads  
73 | and bridges in the county; for the planning, development,  
74 | expansion, operation, and maintenance of bus and fixed guideway  
75 | systems; and for the payment of principal and interest on bonds  
76 | issued for the construction of fixed guideway rapid transit  
77 | systems, bus systems, roads, or bridges; and such proceeds may  
78 | be pledged by the governing body of the county for bonds issued  
79 | to refinance existing bonds or new bonds issued for the  
80 | construction of such fixed guideway rapid transit systems, bus  
81 | systems, roads, or bridges. Pursuant to an interlocal agreement  
82 | entered into pursuant to chapter 163, the governing body of the  
83 | charter county may distribute proceeds from the tax to a  
84 | municipality, or an expressway or transportation authority

CS/CS/HB 1205

2009

85 created by law to be expended for the purpose authorized by this  
86 paragraph. Any charter county that has entered into interlocal  
87 agreements for distribution of proceeds to one or more  
88 municipalities in the county shall revise such interlocal  
89 agreements no less than every 5 years in order to include any  
90 municipalities that have been created since the prior interlocal  
91 agreements were executed.

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