

By Senator Alexander

17-01035-09

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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
 4 surtax; expanding the eligibility to levy the surtax
 5 to all charter counties; providing an effective date.
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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
 15 subsection of this section, irrespective of the duration of the
 16 levy. Each enactment shall specify the types of counties
 17 authorized to levy; the rate or rates which may be imposed; the
 18 maximum length of time the surtax may be imposed, if any; the
 19 procedure which must be followed to secure voter approval, if
 20 required; the purpose for which the proceeds may be expended;
 21 and such other requirements as the Legislature may provide.
 22 Taxable transactions and administrative procedures shall be as
 23 provided in s. 212.054.

24 (1) CHARTER COUNTY TRANSPORTATION ~~TRANSIT~~ SYSTEM SURTAX.—

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

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30 amendment approved by a majority vote of the electorate of the
31 county.

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

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

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

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

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

57 3. Used by the charter county for the development,
58 construction, operation, and maintenance of roads and bridges in

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

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

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