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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/01/2009	.	
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The Committee on Transportation (Joyner) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

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

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the



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12 levy. Each enactment shall specify the types of counties
13 authorized to levy; the rate or rates which may be imposed; the
14 maximum length of time the surtax may be imposed, if any; the
15 procedure which must be followed to secure voter approval, if
16 required; the purpose for which the proceeds may be expended;
17 and such other requirements as the Legislature may provide.
18 Taxable transactions and administrative procedures shall be as
19 provided in s. 212.054.

20 (1) CHARTER COUNTY TRANSIT SYSTEM SURTAX.—

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

24 1. Deposited by the county in the trust fund and shall be
25 used for the purposes of development, construction, equipment,
26 maintenance, operation, supportive services, including a
27 countywide bus system, and related costs of a fixed guideway
28 rapid transit system;

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

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



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41 the county; for the expansion, operation, and maintenance of bus
42 and fixed guideway systems; and for the payment of principal and
43 interest on bonds issued for the construction of fixed guideway
44 rapid transit systems, bus systems, roads, or bridges; and such
45 proceeds may be pledged by the governing body of the county for
46 bonds issued to refinance existing bonds or new bonds issued for
47 the construction of such fixed guideway rapid transit systems,
48 bus systems, roads, or bridges and no more than 25 percent used
49 for nontransit uses; and

50 4. Used by the charter county for the planning,
51 development, construction, operation, and maintenance of roads
52 and bridges in the county; for the planning, development,
53 expansion, operation, and maintenance of bus and fixed guideway
54 systems; and for the payment of principal and interest on bonds
55 issued for the construction of fixed guideway rapid transit
56 systems, bus systems, roads, or bridges; and such proceeds may
57 be pledged by the governing body of the county for bonds issued
58 to refinance existing bonds or new bonds issued for the
59 construction of such fixed guideway rapid transit systems, bus
60 systems, roads, or bridges. Pursuant to an interlocal agreement
61 entered into pursuant to chapter 163, the governing body of the
62 charter county may distribute proceeds from the tax to a
63 municipality, or an expressway or transportation authority
64 created by law to be expended for the purpose authorized by this
65 paragraph. Any charter county that has entered into interlocal
66 agreements for the distribution of proceeds to one or more of
67 its municipalities shall revise such interlocal agreements no
68 less frequently than every 5 years for the purpose of including
69 any municipalities created since the execution of the previous



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70 interlocal agreements.

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

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73 ===== T I T L E A M E N D M E N T =====

74 And the title is amended as follows:

75 Delete everything before the enacting clause

76 and insert:

77 A bill to be entitled

78 An act relating to charter counties; amending s.

79 212.055, F.S.; requiring that certain charter counties

80 update interlocal agreements at specified intervals

81 for specified purposes; providing an effective date.