

By the Committee on Transportation; and Senator Wilson

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1 A bill to be entitled

2 An act relating to charter counties; amending s.
3 212.055, F.S.; requiring that certain charter counties
4 update interlocal agreements at specified intervals
5 for specified purposes; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Paragraph (d) of subsection (1) of section
10 212.055, Florida 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 TRANSIT SYSTEM SURTAX.—

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

28 1. Deposited by the county in the trust fund and shall be
29 used for the purposes of development, construction, equipment,

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30 maintenance, operation, supportive services, including a
31 countywide bus system, and related costs of a fixed guideway
32 rapid transit system;

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

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

54 4. Used by the charter county for the planning,
55 development, construction, operation, and maintenance of roads
56 and bridges in the county; for the planning, development,
57 expansion, operation, and maintenance of bus and fixed guideway
58 systems; and for the payment of principal and interest on bonds

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59 issued for the construction of fixed guideway rapid transit
60 systems, bus systems, roads, or bridges; and such proceeds may
61 be pledged by the governing body of the county for bonds issued
62 to refinance existing bonds or new bonds issued for the
63 construction of such fixed guideway rapid transit systems, bus
64 systems, roads, or bridges. Pursuant to an interlocal agreement
65 entered into pursuant to chapter 163, the governing body of the
66 charter county may distribute proceeds from the tax to a
67 municipality, or an expressway or transportation authority
68 created by law to be expended for the purpose authorized by this
69 paragraph. Any charter county that has entered into interlocal
70 agreements for the distribution of proceeds to one or more of
71 its municipalities shall revise such interlocal agreements no
72 less frequently than every 5 years for the purpose of including
73 any municipalities created since the execution of the previous
74 interlocal agreements.

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