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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.; changing the name
4 of the surtax; expanding eligible counties authorized
5 to levy the surtax; requiring interlocal agreements in
6 certain counties to be updated no less than every 5
7 years to include certain municipalities; providing an
8 effective date.

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

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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

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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 or
42 as few of the uses enumerated below in whatever combination the
43 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 or transportation authority created by law to be
51 used, at the discretion of such authority, for the development,
52 construction, operation, or maintenance of roads or bridges in
53 the county, for the operation and maintenance of a bus system,
54 for the payment of principal and interest on existing bonds
55 issued for the construction of such roads or bridges, and, upon
56 approval by the county commission, such proceeds may be pledged
57 for bonds issued to refinance existing bonds or new bonds issued
58 for the construction of such roads or bridges;

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

70 4. Used by the charter county for the planning,
71 development, construction, operation, and maintenance of roads
72 and bridges in the county; for the planning, development,
73 expansion, operation, and maintenance of bus and fixed guideway
74 systems; and for the payment of principal and interest on bonds
75 issued for the construction of fixed guideway rapid transit
76 systems, bus systems, roads, or bridges; and such proceeds may
77 be pledged by the governing body of the county for bonds issued
78 to refinance existing bonds or new bonds issued for the
79 construction of such fixed guideway rapid transit systems, bus
80 systems, roads, or bridges. Pursuant to an interlocal agreement
81 entered into pursuant to chapter 163, the governing body of the
82 charter county may distribute proceeds from the tax to a
83 municipality, or an expressway or transportation authority
84 created by law to be expended for the purpose authorized by this
85 paragraph. Any charter county that has entered into interlocal
86 agreements for the distribution of proceeds to one or more of
87 its municipalities shall revise such interlocal agreements no

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88 less frequently than every 5 years for the purpose of including
89 any municipalities created since the execution of the previous
90 interlocal agreements.

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