

1 A bill to be entitled
 2 An act relating to transportation revenue; amending s.
 3 215.211, F.S.; removing provisions that eliminate
 4 imposition of a specified service charge on specified
 5 income of a revenue nature; reenacting s. 215.20(1), F.S.,
 6 relating to a service charge appropriated from income of a
 7 revenue nature deposited in trust funds to provide for
 8 imposition of the service charge pursuant to changes made
 9 by the act to s. 215.211, F.S.; amending s. 320.072, F.S.;
 10 revising the disposition of proceeds collected on the
 11 initial application for registration of specified motor
 12 vehicles; amending s. 339.135, F.S.; providing for effect
 13 of revised funding levels on department projects;
 14 providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Section 215.211, Florida Statutes, is amended
 19 to read:

20 215.211 Service charge; elimination or reduction for
 21 specified proceeds.—

22 ~~(1) Notwithstanding the provisions of s. 215.20(1) and~~
 23 ~~(3), the service charge provided in s. 215.20(1) and (3), which~~
 24 ~~is deducted from the proceeds of the taxes distributed under ss.~~
 25 ~~206.606(1), 207.026, 212.0501(6), and 319.32(5), shall be~~
 26 ~~eliminated beginning July 1, 2000.~~

27 ~~(2) Notwithstanding the provisions of s. 215.20(1) and~~
 28 ~~(3), the service charge provided in s. 215.20(1) and (3), which~~

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29 ~~is deducted from the proceeds of the taxes distributed under ss.~~
 30 ~~206.608 and 320.072(4), shall be eliminated beginning July 1,~~
 31 ~~2001.~~

32 (1)~~(3)~~ Notwithstanding the provisions of s. 215.20(1), the
 33 service charge provided in s. 215.20(1) may not be deducted from
 34 the proceeds of the local option fuel tax distributed under s.
 35 336.025(1) (a).

36 (2)~~(4)~~ From the revenues derived from s. 336.025(1) (a), an
 37 amount equal to 7 percent of those revenues shall be deposited
 38 in the State Transportation Trust Fund and used to fund the
 39 County Incentive Grant Program and the Small County Outreach
 40 Program. Up to 20 percent of such funds shall be used for the
 41 purpose of implementing the Small County Outreach Program as
 42 provided in this act. Notwithstanding any other laws to the
 43 contrary, the requirements of ss. 339.135, 339.155, and 339.175
 44 shall not apply to these funds and programs.

45 Section 2. For the purpose of incorporating the amendment
 46 made by this act to section 215.211, Florida Statutes,
 47 subsection (1) of section 215.20, Florida Statutes, is reenacted
 48 to read:

49 215.20 Certain income and certain trust funds to
 50 contribute to the General Revenue Fund.—

51 (1) A service charge of 8 percent, representing the
 52 estimated pro rata share of the cost of general government paid
 53 from the General Revenue Fund, is hereby appropriated from all
 54 income of a revenue nature deposited in all trust funds except
 55 those enumerated in s. 215.22. Income of a revenue nature shall
 56 include all earnings received or credited by such trust funds,

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57 including the interest or benefit received from the investment
58 of the principal of such trust funds as may be permitted by law.
59 This provision shall be construed in favor of the General
60 Revenue Fund in each instance. All such appropriations shall be
61 deposited in the General Revenue Fund.

62 Section 3. Subsection (4) of section 320.072, Florida
63 Statutes, is amended to read:

64 320.072 Additional fee imposed on certain motor vehicle
65 registration transactions.—

66 (4) A tax collector or other authorized agent of the
67 department shall promptly remit ~~44.5 percent~~ of all moneys
68 collected pursuant to this section, less any refunds granted
69 pursuant to subsection (3), to the department. The department
70 shall deposit 34.5 percent of the funds ~~to be deposited~~ into the
71 State Transportation Trust Fund and 10 percent into the Highway
72 Safety Operating Trust Fund. The remaining 55.5 percent shall be
73 deposited into the General Revenue Fund.

74 Section 4. Paragraph (a) of subsection (4) of section
75 339.135, Florida Statutes, as amended by chapter 2009-271, Laws
76 of Florida, is amended to read:

77 339.135 Work program; legislative budget request;
78 definitions; preparation, adoption, execution, and amendment.—

79 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

80 (a)1. To assure that no district or county is penalized
81 for local efforts to improve the State Highway System, the
82 department shall, for the purpose of developing a tentative work
83 program, allocate funds for new construction to the districts,
84 except for the turnpike enterprise, based on equal parts of

85 population and motor fuel tax collections. Funds for
86 resurfacing, bridge repair and rehabilitation, bridge fender
87 system construction or repair, public transit projects except
88 public transit block grants as provided in s. 341.052, and other
89 programs with quantitative needs assessments shall be allocated
90 based on the results of these assessments. The department may
91 not transfer any funds allocated to a district under this
92 paragraph to any other district except as provided in subsection
93 (7). Funds for public transit block grants shall be allocated to
94 the districts pursuant to s. 341.052. Funds for the intercity
95 bus program provided for under s. 5311(f) of the federal
96 nonurbanized area formula program shall be administered and
97 allocated directly to eligible bus carriers as defined in s.
98 341.031(12) at the state level rather than the district. In
99 order to provide state funding to support the intercity bus
100 program provided for under provisions of the federal 5311(f)
101 program, the department shall allocate an amount equal to the
102 federal share of the 5311(f) program from amounts calculated
103 pursuant to s. 206.46(3).

104 2. Notwithstanding the provisions of subparagraph 1., the
105 department shall allocate at least 50 percent of any new
106 discretionary highway capacity funds to the Florida Strategic
107 Intermodal System created pursuant to s. 339.61. Any remaining
108 new discretionary highway capacity funds shall be allocated to
109 the districts for new construction as provided in subparagraph
110 1. For the purposes of this subparagraph, the term "new
111 discretionary highway capacity funds" means any funds available
112 to the department above the prior year funding level for

113 capacity improvements, which the department has the discretion
 114 to allocate to highway projects.

115 3. Notwithstanding subparagraphs ~~subparagraph~~ 1. and 2.
 116 and ss. 201.15(1)(c)1.a.-d., 206.46(3), 206.608(2), 215.211(2),
 117 334.044(26), and 339.2819(3), and for the 2009-2010 fiscal years
 118 2010-2011 through 2014-2015 year only, the department shall
 119 reduce work program levels to balance the finance plan to the
 120 revised funding levels resulting from any reduction in the 2010-
 121 2011 2009-2010 General Appropriations Act and the reinstatement
 122 of the service charge under s. 215.20(1) which is deducted from
 123 the proceeds of the taxes distributed under ss. 206.606(1),
 124 206.608, 207.026, 212.0501(6), 319.32(5), and 320.072(4). This
 125 subparagraph does not apply to funds provided to the Florida
 126 Rail Enterprise in fiscal year 2014-2015 for the purposes
 127 established in s. 341.303(5) expires July 1, 2010.

128 4. For ~~the 2009-2010 fiscal years~~ 2010-2011 through 2014-
 129 2015 year only, prior to any project or phase thereof being
 130 deferred, the department's cash balances shall be as provided in
 131 paragraph (6)(b), and the reductions in subparagraph 3. shall be
 132 made to financial projects not programmed for contract letting
 133 as identified with a work program contract class code 8 and the
 134 box code RV. These reductions shall not negatively impact
 135 safety, or maintenance, financial projects for the purchase of
 136 the Central Florida Commuter Rail Corridor, financial projects
 137 for the Florida Rail Enterprise, or project contingency
 138 percentage levels as of July 1 April 21, 2009. This subparagraph
 139 expires July 1, 2010.

140 5. Notwithstanding subparagraphs 1. and 2. and ss.

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141 206.46(3) and 334.044(26), and for fiscal years 2009-2010
142 through 2013-2014 only, the department shall annually allocate
143 up to \$15 million of the first proceeds of the increased
144 revenues estimated by the November 2009 Revenue Estimating
145 Conference to be deposited into the State Transportation Trust
146 Fund to provide for the portion of the transfer of funds
147 included in s. 343.58(4)(a)1.a. or 2.a., whichever is
148 applicable. The transfer of funds included in s. 343.58(4) shall
149 not negatively impact projects included in fiscal years 2009-
150 2010 through 2013-2014 of the work program as of July 1, 2009,
151 as amended pursuant to subsection (7). This subparagraph expires
152 July 1, 2014.

153 Section 5. This act shall take effect July 1, 2010.