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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/14/2011	.	
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The Committee on Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations (Margolis) recommended the following:

Senate Amendment (with title amendment)

Between lines 294 and 295
insert:

Section 2. 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 AND REGIONAL TRANSPORTATION SYSTEM
21 SURTAX.—

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

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

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



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41 roads or bridges;

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

54 4. Used by the county for the planning, development,
55 construction, operation, and maintenance of roads and bridges in
56 the county; for the planning, development, expansion, operation,
57 and maintenance of bus and fixed guideway systems; for the
58 planning, development, construction, operation, and maintenance
59 of on-demand transportation services; and for the payment of
60 principal and interest on bonds issued for the construction of
61 fixed guideway rapid transit systems, bus systems, roads, or
62 bridges; and such proceeds may be pledged by the governing body
63 of the county for bonds issued to refinance existing bonds or
64 new bonds issued for the construction of such fixed guideway
65 rapid transit systems, bus systems, roads, or bridges. Pursuant
66 to an interlocal agreement entered into pursuant to chapter 163,
67 the governing body of the county may distribute proceeds from
68 the tax to a municipality, or an expressway or transportation
69 authority created by law to be expended for the purpose



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70 authorized by this paragraph. Any county that has entered into
71 interlocal agreements for distribution of proceeds to one or
72 more municipalities in the county shall revise such interlocal
73 agreements as necessary for the sole purpose of including ~~no~~
74 ~~less than every 5 years in order to include~~ any municipalities
75 that have been created during the immediately preceding year,
76 provided that any funds distributed to a new municipality must
77 come from funds otherwise retained and used by the charter
78 county, must be on a pro rata basis with the allocation of funds
79 to the previously existing municipalities, and must not reduce
80 the percentage allocation to the previously existing
81 municipalities since the prior interlocal agreements were
82 ~~executed.~~ Notwithstanding the foregoing, the first revision of
83 interlocal agreements pursuant to this subparagraph shall
84 include any municipality that has been created since the surtax
85 was adopted by the charter county. Any charter county that seeks
86 to terminate or substantially modify the distribution of funds
87 to municipalities may do so only pursuant to approval by a
88 majority vote of the electorate of the county.

89
90 ===== T I T L E A M E N D M E N T =====

91 And the title is amended as follows:

92 Delete line 10

93 and insert:

94 systems in the state; amending s. 212.055, F.S.;

95 requiring counties to revise, as necessary, any

96 interlocal agreements entered into with municipalities

97 for the distribution of proceeds of the discretionary

98 sales surcharge in order that newly participating



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99 municipalities may receive a share of the
100 distribution; specifying conditions by which a
101 municipality may receive a distribution of the sales
102 surcharge; amending s. 286.011, F.S.;