

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nuñez offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 2525 and 2526, insert:

5 Section 74. Paragraph (d) of subsection (1) of section  
6 212.055, Florida Statutes, is amended to read:

7 212.055 Discretionary sales surtaxes; legislative intent;  
8 authorization and use of proceeds.—It is the legislative intent  
9 that any authorization for imposition of a discretionary sales  
10 surtax shall be published in the Florida Statutes as a  
11 subsection of this section, irrespective of the duration of the  
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;

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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  
23 or as few of the uses enumerated below in whatever combination  
24 the 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  
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  
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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  
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

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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. Notwithstanding the foregoing, the first  
82 revision of interlocal agreements pursuant to this subparagraph  
83 shall include any municipality that has been created since the  
84 surtax was adopted by the charter county. Any charter county  
85 that seeks to terminate or substantially modify the distribution  
86 of funds to municipalities may do so only pursuant to approval  
87 by a majority vote of the electorate of the county ~~since the~~  
88 ~~prior interlocal agreements were executed.~~

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**T I T L E   A M E N D M E N T**

Remove line 186 and insert:

changes made by the act; amending s. 212.055, F.S.; requiring  
counties to revise, as necessary, any interlocal agreements  
entered into with municipalities for the distribution of  
proceeds of the discretionary sales surcharge in order that  
newly participating municipalities may receive a share of the  
distribution; specifying conditions by which a municipality may

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100 receive a distribution of the sales surcharge; providing  
101 effective dates.