

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Local & Federal Affairs
2 Committee

3 Representative Caldwell offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 21-63 and insert:

7 (2) NON-AD VALOREM ASSESSMENTS.-

8 (a) A district may levy non-ad valorem assessments as
9 defined in s. 197.3632 to construct, operate, and maintain those
10 district facilities and services provided pursuant to the
11 general powers listed in s. 191.006, the special powers listed
12 in s. 191.008, any applicable general laws of local application,
13 and a district's enabling legislation. The rate of such
14 assessments must be fixed by resolution of the board pursuant to
15 the procedures contained in s. 191.011. Non-ad valorem
16 assessment rates set by the board may exceed the maximum rates
17 established by special act, county ordinance, the previous
18 year's resolution, or referendum in an amount not to exceed the
19 average annual growth rate in Florida personal income over the
20 previous 5 years. Non-ad valorem assessment rate increases

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21 within the personal income threshold are deemed to be within the
22 maximum rate authorized by law at the time of initial
23 imposition. Proposed non-ad valorem assessment increases that
24 ~~which~~ exceed the rate set the previous fiscal year or the rate
25 previously set by special act or county ordinance, whichever is
26 more recent, by more than average annual growth rate in Florida
27 personal income over the last 5 years, or the first-time levy of
28 non-ad valorem assessments in a district, must be approved by
29 referendum of the electors of the district. The referendum on
30 the first-time levy of an assessment shall include a notice of
31 the future non-ad valorem assessment rate increases permitted by
32 this act without a referendum. Non-ad valorem assessments shall
33 be imposed, collected, and enforced pursuant to s. 191.011.

34 (b) 1. The non-ad valorem assessments in subparagraph (a)
35 can be used to fund emergency rescue services, first response
36 medical aid, emergency medical services, and emergency transport
37 services. However, if a district levies a non-ad valorem
38 assessment for emergency rescue services, first response medical
39 aid, emergency medical services, or emergency transport
40 services, that district shall cease collecting ad valorem taxes
41 under paragraph (1) of this section for that particular service.

42 2. It is recognized that the provision of emergency rescue
43 services, first response medical aid, emergency medical
44 services, and emergency transport services constitutes a benefit
45 to real property the same as any other improvement performed by
46 a district, such as fire suppression services, fire protection
47 services, and fire prevention services.

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48 Section 2. Subsection (1) of section 191.011, Florida
49 Statutes, is amended to read:

50 191.011 Procedures for the levy and collection of non-ad
51 valorem assessments.-

52 (1) A district may provide for the levy of non-ad valorem
53 assessments under this act on the lands within the district for
54 ~~and real estate benefited by~~ the exercise of the powers
55 authorized by this act, or any part thereof, for all or any part
56 of the cost thereof. ~~Non-ad valorem assessments~~

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T I T L E A M E N D M E N T

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Between lines 6 and 7, insert:

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providing that if a district levies non-ad valorem assessments
63 for certain services, that district must cease to levy ad
64 valorem assessments for those services;

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