

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 5501 PCB ANRAS 14-02 Documentary Stamp Tax Distributions

SPONSOR(S): Agriculture & Natural Resources Appropriations Subcommittee, Albritton

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Agriculture & Natural Resources Appropriations Subcommittee	13 Y, 0 N	Helping	Massengale
1) Appropriations Committee	25 Y, 0 N	Helping	Leznoff

SUMMARY ANALYSIS

The bill amends statutes to conform to the funding decisions included in the House proposed General Appropriations Act for Fiscal Year 2014-2015.

The proposed House General Appropriations Act for Fiscal Year 2014-2015 authorizes the second \$50 million in Everglades Restoration bonds for the Florida Keys Wastewater Plan and provides \$4.3 million for debt service secured by a distribution from documentary stamp tax receipts.

Current law allows documentary stamp tax receipts that are dedicated for other uses to be available to pay debt service for bonds issued before January 1, 2013. The bill amends section 201.15, Florida Statutes, to extend this provision to bonds issued before January 1, 2015.

The effective date of the bill is July 1, 2015.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

In 2008,¹ the Legislature authorized an additional amount of Everglades Restoration bonds not to exceed \$200 million, and limited to \$50 million per fiscal year, specifically for the purpose of funding the Florida Keys Area of Critical State Concern protection program. Proceeds from the bonds were to be managed by the Department of Environmental Protection for the purpose of entering into financial assistance agreements with local governments located in the Florida Keys Area of Critical State Concern to finance or refinance the cost of constructing sewage collection, treatment, and disposal facilities.

In 2012, the Legislature authorized the issuance of the first \$50 million in Everglades Restoration bonds for the Keys Wastewater Plan² and appropriated \$4.8 million for debt service secured by a distribution from documentary stamp tax receipts that was dedicated for other uses.³ The legislation also specified that the funds deposited into the Save Our Everglades Trust Fund would be used to implement the Keys Wastewater Plan.⁴

The proposed House General Appropriations Act for Fiscal Year 2014-2015 provides the second \$50 million in Everglades Restoration bonds for the Florida Keys Wastewater Plan and \$4.3 million for debt service.

Current law allows documentary stamp tax receipts that are dedicated for other uses to be available to pay debt service for bonds issued before January 1, 2013. The bill amends section 201.15, Florida Statutes, to extend this provision to bonds issued before January 1, 2015 to allow the issuance of additional bonds for the Keys Wastewater Plan.

B. SECTION DIRECTORY:

Section 1. Amends s. 201.15, F.S., requiring that documentary stamp tax revenues be available to pay debt service or other obligations relating to Everglades Restoration bonds authorized before January 1, 2015.

Section 2. Provides an effective date of July 1, 2014.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The documentary stamp tax receipts used for debt service in the proposed House General Appropriations Act for Fiscal Year 2014-2015 for the Keys Wastewater Plan are diverted from revenues that would otherwise be deposited into the General Revenue Fund.

2. Expenditures:

By extending the date allowing the use of documentary stamp tax receipts that are dedicated for other uses to be used to pay debt service, the proposed House General Appropriations Act for Fiscal Year 2014-2015 provides \$50 million in Everglades Restoration bonds and \$4.3 million for recurring debt service.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

¹ Chapter 2008-49, L.O.F.

² *Keys Wastewater Plan*, Monroe County Engineering Division, November 2007

³ Chapter 2012-145, L.O.F.

⁴ Section 373.470, F.S.

1. Revenues:

The authorization to issue bonds to fund the Keys Wastewater Plan as allowed by this bill provides additional revenues to assist in the implementation of the plan.

2. Expenditures:

The authorization to issue bonds to fund the Keys Wastewater Plan as allowed by this bill reduces the amount local governments will pay in the implementation of the plan.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The authorization to issue bonds to fund the Keys Wastewater Plan as allowed by this bill can potentially reduce the amount of user fees that utility customers would have to pay.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

Not applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES