

By the Committee on Community Affairs; and Senator Flores

578-02871-16

20161222c1

1 A bill to be entitled

2 An act relating to millage rates; amending s. 200.065,
3 F.S.; revising the maximum millage rate that a county,
4 a municipality, a special district dependent to a
5 county or municipality, a municipal service taxing
6 unit, or an independent special district may levy;
7 revising the conditions under which a higher rate may
8 be adopted; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Paragraph (a) of subsection (5) of section
13 200.065, Florida Statutes, is amended to read:

14 200.065 Method of fixing millage.—

15 (5) In each fiscal year:

16 (a) The maximum millage rate that a county, municipality,
17 special district dependent to a county or municipality,
18 municipal service taxing unit, or independent special district
19 may levy is a rolled-back rate based on the amount of taxes
20 actually ~~which would have been~~ levied in the prior year ~~if the~~
21 ~~maximum millage rate had been applied~~, adjusted for change in
22 per capita Florida personal income, unless the change in per
23 capita Florida personal income is negative ~~a higher rate was~~
24 ~~adopted~~, in which case the maximum is the rolled-back ~~adopted~~
25 rate. The maximum millage rate applicable to a county authorized
26 to levy a county public hospital surtax under s. 212.055 and
27 which did so in fiscal year 2007 shall exclude the revenues
28 required to be contributed to the county public general hospital
29 in the current fiscal year for the purposes of making the
30 maximum millage rate calculation, but shall be added back to the
31 maximum millage rate allowed after the roll back has been
32 applied, the total of which shall be considered the maximum

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33 millage rate for such a county for purposes of this subsection.
34 The revenue required to be contributed to the county public
35 general hospital for the upcoming fiscal year shall be
36 calculated as 11.873 percent times the millage rate levied for
37 countywide purposes in fiscal year 2007 times 95 percent of the
38 preliminary tax roll for the upcoming fiscal year. A higher rate
39 may be adopted only under the following conditions:

40 1. A rate of not more than 110 percent of the rolled-back
41 rate based on the amount of taxes actually levied in the prior
42 year ~~previous year's maximum millage rate~~, adjusted for change
43 in per capita Florida personal income, may be adopted if
44 approved by a two-thirds vote of the membership of the governing
45 body of the county, municipality, or independent district; or

46 2. A rate in excess of 110 percent may be adopted if
47 approved by a unanimous vote of the membership of the governing
48 body of the county, municipality, or independent district or by
49 a three-fourths vote of the membership of the governing body if
50 the governing body has nine or more members, or if the rate is
51 approved by a referendum.

52
53 Any unit of government operating under a home rule charter
54 adopted pursuant to ss. 10, 11, and 24, Art. VIII of the State
55 Constitution of 1885, as preserved by s. 6(e), Art. VIII of the
56 State Constitution of 1968, which is granted the authority in
57 the State Constitution to exercise all the powers conferred now
58 or hereafter by general law upon municipalities and which
59 exercises such powers in the unincorporated area shall be
60 recognized as a municipality under this subsection. For a
61 downtown development authority established before the effective

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62 date of the 1968 State Constitution which has a millage that
63 must be approved by a municipality, the governing body of that
64 municipality shall be considered the governing body of the
65 downtown development authority for purposes of this subsection.

66 Section 2. This act shall take effect July 1, 2016.