

By Senator Evers

2-01213A-16

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1 A bill to be entitled
 2 An act relating to a motor fuel agreement with the
 3 Seminole Tribe of Florida; creating s. 285.31, F.S.;
 4 defining terms; designating the Department of Revenue
 5 as the agency responsible for negotiating and
 6 executing a specified agreement between the State of
 7 Florida and the Seminole Tribe of Florida; requiring
 8 the department to negotiate and execute the agreement;
 9 specifying requirements for the agreement; authorizing
 10 the agreement to provide for recordkeeping; providing
 11 an effective date.

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 13 Be It Enacted by the Legislature of the State of Florida:

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 15 Section 1. Section 285.31, Florida Statutes, is created to
 16 read:

17 285.31 Motor fuel agreement with Seminole Tribe of
 18 Florida.—

19 (1) For purposes of this section, the term:

20 (a) "Department" means the Department of Revenue.

21 (b) "Motor fuel" means gasoline, diesel fuel, and blended
 22 fuel.

23 (c) "State" means the State of Florida.

24 (d) "Tribe" means the Seminole Tribe of Florida, or an
 25 affiliate thereof, conducting activities pursuant to the
 26 agreement under the authority of the Seminole Tribe of Florida.

27 (2) The department is the designated agency responsible for
 28 negotiating and executing, on behalf of the state, a tribal-
 29 state agreement relating to motor fuel taxes with the tribe.

30 (3) The department shall negotiate and execute an agreement
 31 with the tribe pursuant to subsection (2). The agreement must:

32 (a) Be conditioned upon ratification by the Legislature.

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33 (b) Authorize the refund of motor fuel taxes paid by the
34 tribe on the sale of motor fuels by an on-reservation retail
35 operation owned by the tribe.

36 (c) Require the tribe to sell motor fuels at the prevailing
37 retail price.

38 (d) Require the tribe to adopt a tribal tax on the sale of
39 motor fuels.

40 (e) Require the tribe to use the revenue from the tribal
41 tax exclusively for the construction, reconstruction, and
42 maintenance of roads, streets, parking facilities, and bridges
43 on the reservation.

44 (f) Remove the financial responsibility of the state and
45 local governments for activities performed by the tribe pursuant
46 to paragraph (e).

47 (4) The agreement may provide for recordkeeping.

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