

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #:	HB 647	FINAL HOUSE FLOOR ACTION:		
SUBJECT/SHORT TITLE	Hillsborough County Public Transportation Commission	118	Y's 0	N's
SPONSOR(S):	Grant, J., Toldeo and others	GOVERNOR'S ACTION: Approved		
COMPANION BILLS:	N/A			

SUMMARY ANALYSIS

HB 647 passed the House on April 28, 2017, and subsequently passed the Senate on May 4, 2017.

The bill dissolves the Hillsborough County Public Transportation Commission (PTC). The bill requires the PTC to liquidate all assets and satisfy all obligations and indebtedness by December 31, 2017, at such time all assets will be transferred to the appropriate local government entity.

The PTC is an independent special district created to regulate the operation of vehicles for-hire in Hillsborough County, including taxicabs, limousines, vans, basic life support ambulances, and wrecker services used by both public and private entities. The PTC conducts safety inspections, controls the number of taxicab permits issued, and sets rates, fares, zones, and charges for taxicabs and other vehicles for-hire.

The Economic Impact Statement identifies a projected cost of \$250,000 for FY 2017-2018 to cover no more than 6 months of payroll expenses, rent on business facilities, utilities, supplies and associated costs. The costs would be paid from present funds of the Commission.

The bill was approved by the Governor on June 6, 2017, ch. 2017-198, L.O.F., and will become effective on December 31, 2017, except as otherwise provided.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Current Situation

A “special district” is a “local unit of special purpose...government within a limited boundary, created by special law, special act, local ordinance, or by rule of the Governor and Cabinet.”¹ Special districts are created to provide a variety of services, such as mosquito control,² children’s services,³ fire control and rescue,⁴ or drainage control.⁵

An “independent special district” is characterized by having a governing board comprised of members which are not identical in membership to, nor all appointed by, nor any removable at will by, the governing body of a single county or municipality, and the district budget cannot be affirmed or vetoed by the governing body of a single county or municipality.⁶ Additionally, a district that includes more than one county is an independent special district unless the district lies wholly within the boundaries of a single municipality.

The Hillsborough County Public Transportation Commission (PTC) is an independent special district created in 1983.⁷ The PTC regulates the operation of vehicles for-hire in Hillsborough County, including taxicabs, limousines, vans, basic life support ambulances, and wrecker services used by both public and private entities.⁸ The PTC conducts safety inspections, controls the number of taxicab permits issued, and sets rates, fares, zones, and charges for taxicabs and other vehicles for-hire.⁹

The PTC is governed by a seven member board.¹⁰ The board consists of two members of the Tampa City Council, one member of the City Commission for Plant City, and one member of the Temple Terrace City Council, each selected by their respective governing boards, and three members selected by the board.¹¹ Members serve two-year terms and receive no compensation.¹²

General law outlines the dissolution of an active special district by the Legislature, including the approval in a referendum by a majority of the electors of the district.¹³ However, there is no constitutional or statutory provision prohibiting the Legislature from taking such action, as s. 189.072, F.S., was not created pursuant to art. III, s. 11(a)(21) of the Florida Constitution. The dissolution acts to transfer all assets of the special district to the local general purpose government, which also becomes responsible for all district debts.¹⁴

Effect of the Bill

The bill dissolves the PTC, an independent special district, located in Hillsborough County. The bill provides an exemption from the requirements of s. 189.076(2), F.S., in that the assets and liabilities of the PTC remain with the Commission until December 31, 2017, for the purpose of winding up the

¹ Section 189.012(6), F.S.

² See s. 388.021, F.S.

³ See s. 125.901, F.S.

⁴ See ch. 191, F.S.

⁵ See ch. 298, F.S.

⁶ Section 189.012(3), F.S.

⁷ Ch. 2001-299, Laws of Fla., codifying ch. 83-423, Laws of Fla. and subsequent special acts.

⁸ Hillsborough County, Public Transportation Commission, <http://www.hillsboroughcountypctc.com> (last visited February 26, 2017).

⁹ Ch. 2001-299, s. 5(1)-(2), Laws of Fla.

¹⁰ Ch. 2001-299, s. 4, Laws of Fla.

¹¹ *Id.*

¹² *Id.*

¹³ Section 189.072(2)(a), F.S.

¹⁴ Section 189.076(2), F.S.

affairs of the PTC. The bill also provides an exemption from the referendum requirements of s. 189.072(2), F.S.

Effective upon the bill becoming law, the district is prohibited from incurring any additional obligations or indebtedness. The bill also requires all obligations and indebtedness be satisfied and all assets transferred to the county, per operation of s. 189.076, F.S., no later than December 31, 2017.

The Economic Impact Statement identifies a projected cost of \$250,000 for FY 2017-2018 to cover no more than 6 months of payroll expenses, rent on business facilities, utilities, supplies and associated costs. The costs would be paid from present funds of the Commission.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The Economic Impact Statement identifies a projected cost of \$250,000 for Fiscal Year 2017-2018 to cover no more than 6 months of payroll expenses, rent on business facilities, utilities, supplies and associated costs to be paid from the present funds of the Commission.

C. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

D. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 4, 2017

WHERE? *Tampa Bay Times*

E. REFERENDUM REQUIRED? Yes No

WHEN?