

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative La Rosa offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 3991 and 3992, insert:

5 Section 21. Subsections (31) through (51) of section
6 163.3164, Florida Statutes, are renumbered as subsections (32)
7 through (52), respectively, and a new subsection (31) is added
8 to that section, to read:

9 (31) "Master development plan" or "master plan," for the
10 purposes of this act and 26 U.S.C. s. 118, means a planning
11 document that integrates plans, orders, agreements, designs, and
12 studies to guide development as defined in this section and may
13 include, as appropriate, authorized land uses, authorized

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14 amounts of horizontal and vertical development, and public
15 facilities, including local and regional water storage for water
16 quality and water supply. The term includes, but is not limited
17 to, a plan for a development under this chapter or chapter 380,
18 a basin management action plan pursuant to s. 403.067(7), a
19 regional water supply plan pursuant to s. 373.709, a watershed
20 protection plan pursuant to s. 373.4595, and a spring protection
21 plan developed pursuant to s. 373.807.

22 Section 22. Paragraph (d) of subsection (2) of section
23 212.055, Florida Statutes, is amended to read:

24 212.055 Discretionary sales surtaxes; legislative intent;
25 authorization and use of proceeds.—It is the legislative intent
26 that any authorization for imposition of a discretionary sales
27 surtax shall be published in the Florida Statutes as a
28 subsection of this section, irrespective of the duration of the
29 levy. Each enactment shall specify the types of counties
30 authorized to levy; the rate or rates which may be imposed; the
31 maximum length of time the surtax may be imposed, if any; the
32 procedure which must be followed to secure voter approval, if
33 required; the purpose for which the proceeds may be expended;
34 and such other requirements as the Legislature may provide.
35 Taxable transactions and administrative procedures shall be as
36 provided in s. 212.054.

37 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

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38 (d) The proceeds of the surtax authorized by this
39 subsection and any accrued interest shall be expended by the
40 school district, within the county and municipalities within the
41 county, or, in the case of a negotiated joint county agreement,
42 within another county, to finance, plan, and construct
43 infrastructure; to acquire any interest in land for public
44 recreation, conservation, or protection of natural resources or
45 to prevent or satisfy private property rights claims resulting
46 from limitations imposed by the designation of an area of
47 critical state concern; to provide loans, grants, or rebates to
48 residential or commercial property owners who make energy
49 efficiency improvements to their residential or commercial
50 property, if a local government ordinance authorizing such use
51 is approved by referendum; or to finance the closure of county-
52 owned or municipally owned solid waste landfills that have been
53 closed or are required to be closed by order of the Department
54 of Environmental Protection. Any use of the proceeds or interest
55 for purposes of landfill closure before July 1, 1993, is
56 ratified. The proceeds and any interest may not be used for the
57 operational expenses of infrastructure, except that a county
58 that has a population of fewer than 75,000 and that is required
59 to close a landfill may use the proceeds or interest for long-
60 term maintenance costs associated with landfill closure.
61 Counties, as defined in s. 125.011, and charter counties may, in
62 addition, use the proceeds or interest to retire or service

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63 indebtedness incurred for bonds issued before July 1, 1987, for
64 infrastructure purposes, and for bonds subsequently issued to
65 refund such bonds. Any use of the proceeds or interest for
66 purposes of retiring or servicing indebtedness incurred for
67 refunding bonds before July 1, 1999, is ratified.

68 1. For the purposes of this paragraph, the term
69 "infrastructure" means:

70 a. Any fixed capital expenditure or fixed capital outlay
71 associated with the construction, reconstruction, or improvement
72 of public facilities that have a life expectancy of 5 or more
73 years, any related land acquisition, land improvement, design,
74 and engineering costs, and all other professional and related
75 costs required to bring the public facilities into service. For
76 purposes of this sub-subparagraph, the term "public facilities"
77 means facilities as defined in s. 163.3164(39) ~~s. 163.3164(38)~~,
78 s. 163.3221(13), or s. 189.012(5), regardless of whether the
79 facilities are owned by the local taxing authority or another
80 governmental entity.

81 b. A fire department vehicle, an emergency medical service
82 vehicle, a sheriff's office vehicle, a police department
83 vehicle, or any other vehicle, and the equipment necessary to
84 outfit the vehicle for its official use or equipment that has a
85 life expectancy of at least 5 years.

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86 c. Any expenditure for the construction, lease, or
87 maintenance of, or provision of utilities or security for,
88 facilities, as defined in s. 29.008.

89 d. Any fixed capital expenditure or fixed capital outlay
90 associated with the improvement of private facilities that have
91 a life expectancy of 5 or more years and that the owner agrees
92 to make available for use on a temporary basis as needed by a
93 local government as a public emergency shelter or a staging area
94 for emergency response equipment during an emergency officially
95 declared by the state or by the local government under s.
96 252.38. Such improvements are limited to those necessary to
97 comply with current standards for public emergency evacuation
98 shelters. The owner must enter into a written contract with the
99 local government providing the improvement funding to make the
100 private facility available to the public for purposes of
101 emergency shelter at no cost to the local government for a
102 minimum of 10 years after completion of the improvement, with
103 the provision that the obligation will transfer to any
104 subsequent owner until the end of the minimum period.

105 e. Any land acquisition expenditure for a residential
106 housing project in which at least 30 percent of the units are
107 affordable to individuals or families whose total annual
108 household income does not exceed 120 percent of the area median
109 income adjusted for household size, if the land is owned by a
110 local government or by a special district that enters into a

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111 written agreement with the local government to provide such
112 housing. The local government or special district may enter into
113 a ground lease with a public or private person or entity for
114 nominal or other consideration for the construction of the
115 residential housing project on land acquired pursuant to this
116 sub-subparagraph.

117 2. For the purposes of this paragraph, the term "energy
118 efficiency improvement" means any energy conservation and
119 efficiency improvement that reduces consumption through
120 conservation or a more efficient use of electricity, natural
121 gas, propane, or other forms of energy on the property,
122 including, but not limited to, air sealing; installation of
123 insulation; installation of energy-efficient heating, cooling,
124 or ventilation systems; installation of solar panels; building
125 modifications to increase the use of daylight or shade;
126 replacement of windows; installation of energy controls or
127 energy recovery systems; installation of electric vehicle
128 charging equipment; installation of systems for natural gas fuel
129 as defined in s. 206.9951; and installation of efficient
130 lighting equipment.

131 3. Notwithstanding any other provision of this subsection,
132 a local government infrastructure surtax imposed or extended
133 after July 1, 1998, may allocate up to 15 percent of the surtax
134 proceeds for deposit into a trust fund within the county's
135 accounts created for the purpose of funding economic development

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136 projects having a general public purpose of improving local
137 economies, including the funding of operational costs and
138 incentives related to economic development. The ballot statement
139 must indicate the intention to make an allocation under the
140 authority of this subparagraph.

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

144 Remove line 195 and insert:
145 403.524, F.S.; conforming cross-references; amending
146 s. 163.3164, F.S.; defining the term "master
147 development plan" or "master plan"; amending s.
148 212.055, F.S.; conforming a cross-reference; repealing

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