

By the Committees on Appropriations; and Community Affairs; and
Senators Brandes and Campbell

576-04157-18

2018272c2

1 A bill to be entitled
2 An act relating to local tax referenda; amending s.
3 212.055, F.S.; providing that a referendum to adopt or
4 amend a local discretionary sales surtax must be held
5 at a general election; providing an effective date.

6
7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Paragraph (c) of subsection (1), paragraph (b)
10 of subsection (5), and paragraph (b) of subsection (8) of
11 section 212.055, Florida Statutes, are amended, and subsection
12 (10) is added to that section, to read:

13 212.055 Discretionary sales surtaxes; legislative intent;
14 authorization and use of proceeds.—It is the legislative intent
15 that any authorization for imposition of a discretionary sales
16 surtax shall be published in the Florida Statutes as a
17 subsection of this section, irrespective of the duration of the
18 levy. Each enactment shall specify the types of counties
19 authorized to levy; the rate or rates which may be imposed; the
20 maximum length of time the surtax may be imposed, if any; the
21 procedure which must be followed to secure voter approval, if
22 required; the purpose for which the proceeds may be expended;
23 and such other requirements as the Legislature may provide.
24 Taxable transactions and administrative procedures shall be as
25 provided in s. 212.054.

26 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM
27 SURTAX.—

28 (c) The proposal to adopt a discretionary sales surtax as
29 provided in this subsection and to create a trust fund within

576-04157-18

2018272c2

30 the county accounts shall be placed on the ballot in accordance
31 with law and must be approved in a referendum held at a general
32 election as set forth in subsection (10) ~~at a time to be set at~~
33 ~~the discretion of the governing body.~~

34 (5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined in
35 s. 125.011(1) may levy the surtax authorized in this subsection
36 pursuant to an ordinance either approved by extraordinary vote
37 of the county commission or conditioned to take effect only upon
38 approval by a majority vote of the electors of the county voting
39 in a referendum. In a county as defined in s. 125.011(1), for
40 the purposes of this subsection, “county public general
41 hospital” means a general hospital as defined in s. 395.002
42 which is owned, operated, maintained, or governed by the county
43 or its agency, authority, or public health trust.

44 (b) If the ordinance is conditioned on a referendum, the
45 proposal to adopt the county public hospital surtax shall be
46 placed on the ballot in accordance with subsection (10) ~~law at a~~
47 ~~time to be set at the discretion of the governing body.~~ The
48 referendum question on the ballot shall include a brief general
49 description of the health care services to be funded by the
50 surtax.

51 (8) EMERGENCY FIRE RESCUE SERVICES AND FACILITIES SURTAX.—

52 (b) Upon the adoption of the ordinance, the levy of the
53 surtax must be placed on the ballot by the governing authority
54 of the county enacting the ordinance. The ordinance will take
55 effect if approved by a majority of the electors of the county
56 voting in a referendum held for such purpose. The referendum
57 shall be placed on the ballot of a general ~~regularly scheduled~~
58 election. The ballot for the referendum must conform to the

576-04157-18

2018272c2

59 requirements of s. 101.161.

60 (10) DATES FOR REFERENDA.—A referendum to adopt or amend a
61 local government discretionary sales surtax under this section
62 shall be held at a general election as defined in s. 97.021.

63 Section 2. This act shall take effect upon becoming a law.