

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

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

51 surtax.

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

53 (b) Upon the adoption of the ordinance, the levy of the
54 surtax must be placed on the ballot by the governing authority
55 of the county enacting the ordinance. The ordinance will take
56 effect if approved by a majority of the electors of the county
57 voting in a referendum held for such purpose. The referendum
58 shall be placed on the ballot of a general ~~regularly-scheduled~~
59 election. The ballot for the referendum must conform to the
60 requirements of s. 101.161.

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

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