

1 A bill to be entitled
2 An act relating to the Land Acquisition Trust Fund;
3 amending s. 201.15, F.S.; revising the date by which
4 bonds issued to fund the Florida Forever Act are
5 intended to be retired; amending s. 375.041, F.S.;
6 requiring a specified annual appropriation to the
7 Florida Forever Trust Fund; deleting an obsolete
8 provision; prohibiting moneys from the Land
9 Acquisition Trust Fund from being used for specified
10 costs; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Paragraph (a) of subsection (3) of section
15 201.15, Florida Statutes, is amended to read:

16 201.15 Distribution of taxes collected.—All taxes
17 collected under this chapter are hereby pledged and shall be
18 first made available to make payments when due on bonds issued
19 pursuant to s. 215.618 or s. 215.619, or any other bonds
20 authorized to be issued on a parity basis with such bonds. Such
21 pledge and availability for the payment of these bonds shall
22 have priority over any requirement for the payment of service
23 charges or costs of collection and enforcement under this
24 section. All taxes collected under this chapter, except taxes
25 distributed to the Land Acquisition Trust Fund pursuant to

26 subsections (1) and (2), are subject to the service charge
27 imposed in s. 215.20(1). Before distribution pursuant to this
28 section, the Department of Revenue shall deduct amounts
29 necessary to pay the costs of the collection and enforcement of
30 the tax levied by this chapter. The costs and service charge may
31 not be levied against any portion of taxes pledged to debt
32 service on bonds to the extent that the costs and service charge
33 are required to pay any amounts relating to the bonds. All of
34 the costs of the collection and enforcement of the tax levied by
35 this chapter and the service charge shall be available and
36 transferred to the extent necessary to pay debt service and any
37 other amounts payable with respect to bonds authorized before
38 January 1, 2017, secured by revenues distributed pursuant to
39 this section. All taxes remaining after deduction of costs shall
40 be distributed as follows:

41 (3) Amounts on deposit in the Land Acquisition Trust Fund
42 shall be used in the following order:

43 (a) Payment of debt service or funding of debt service
44 reserve funds, rebate obligations, or other amounts payable with
45 respect to Florida Forever bonds issued pursuant to s. 215.618.
46 The amount used for such purposes may not exceed \$300 million in
47 each fiscal year. It is the intent of the Legislature that all
48 bonds issued to fund the Florida Forever Act be retired by
49 December 31, 2054 ~~2040~~. Except for bonds issued to refund
50 previously issued bonds, no series of bonds may be issued

51 pursuant to this paragraph unless such bonds are approved and
52 the debt service for the remainder of the fiscal year in which
53 the bonds are issued is specifically appropriated in the General
54 Appropriations Act or other law with respect to bonds issued for
55 the purposes of s. 373.4598.

56

57 Bonds issued pursuant to s. 215.618 or s. 215.619 are equally
58 and ratably secured by moneys distributable to the Land
59 Acquisition Trust Fund.

60 Section 2. Subsections (3) and (4) of section 375.041,
61 Florida Statutes, are amended to read:

62 375.041 Land Acquisition Trust Fund.—

63 (3) Funds distributed into the Land Acquisition Trust Fund
64 pursuant to s. 201.15 shall be applied:

65 (a) First, to pay debt service or to fund debt service
66 reserve funds, rebate obligations, or other amounts payable with
67 respect to Florida Forever bonds issued under s. 215.618; and
68 pay debt service, provide reserves, and pay rebate obligations
69 and other amounts due with respect to Everglades restoration
70 bonds issued under s. 215.619; and

71 (b) Of the funds remaining after the payments required
72 under paragraph (a), but before funds may be appropriated,
73 pledged, or dedicated for other uses:

74 1. A minimum of the lesser of 25 percent or \$200 million
75 shall be appropriated annually for Everglades projects that

76 | implement the Comprehensive Everglades Restoration Plan as set
77 | forth in s. 373.470, including the Central Everglades Planning
78 | Project subject to Congressional authorization; the Long-Term
79 | Plan as defined in s. 373.4592(2); and the Northern Everglades
80 | and Estuaries Protection Program as set forth in s. 373.4595.
81 | From these funds, \$32 million shall be distributed each fiscal
82 | year through the 2023-2024 fiscal year to the South Florida
83 | Water Management District for the Long-Term Plan as defined in
84 | s. 373.4592(2). After deducting the \$32 million distributed
85 | under this subparagraph, from the funds remaining, a minimum of
86 | the lesser of 76.5 percent or \$100 million shall be appropriated
87 | each fiscal year through the 2025-2026 fiscal year for the
88 | planning, design, engineering, and construction of the
89 | Comprehensive Everglades Restoration Plan as set forth in s.
90 | 373.470, including the Central Everglades Planning Project, the
91 | Everglades Agricultural Area Storage Reservoir Project, the Lake
92 | Okeechobee Watershed Project, the C-43 West Basin Storage
93 | Reservoir Project, the Indian River Lagoon-South Project, the
94 | Western Everglades Restoration Project, and the Picayune Strand
95 | Restoration Project. The Department of Environmental Protection
96 | and the South Florida Water Management District shall give
97 | preference to those Everglades restoration projects that reduce
98 | harmful discharges of water from Lake Okeechobee to the St.
99 | Lucie or Caloosahatchee estuaries in a timely manner. For the
100 | purpose of performing the calculation provided in this

101 subparagraph, the amount of debt service paid pursuant to
102 paragraph (a) for bonds issued after July 1, 2016, for the
103 purposes set forth under paragraph (b) shall be added to the
104 amount remaining after the payments required under paragraph
105 (a). The amount of the distribution calculated shall then be
106 reduced by an amount equal to the debt service paid pursuant to
107 paragraph (a) on bonds issued after July 1, 2016, for the
108 purposes set forth under this subparagraph.

109 2. A minimum of the lesser of 7.6 percent or \$50 million
110 shall be appropriated annually for spring restoration,
111 protection, and management projects. For the purpose of
112 performing the calculation provided in this subparagraph, the
113 amount of debt service paid pursuant to paragraph (a) for bonds
114 issued after July 1, 2016, for the purposes set forth under
115 paragraph (b) shall be added to the amount remaining after the
116 payments required under paragraph (a). The amount of the
117 distribution calculated shall then be reduced by an amount equal
118 to the debt service paid pursuant to paragraph (a) on bonds
119 issued after July 1, 2016, for the purposes set forth under this
120 subparagraph.

121 3. The sum of \$5 million shall be appropriated annually
122 each fiscal year through the 2025-2026 fiscal year to the St.
123 Johns River Water Management District for projects dedicated to
124 the restoration of Lake Apopka. This distribution shall be
125 reduced by an amount equal to the debt service paid pursuant to

126 paragraph (a) on bonds issued after July 1, 2016, for the
127 purposes set forth in this subparagraph.

128 4. The sum of \$64 million is appropriated and shall be
129 transferred to the Everglades Trust Fund for the 2018-2019
130 fiscal year, and each fiscal year thereafter, for the EAA
131 reservoir project pursuant to s. 373.4598. Any funds remaining
132 in any fiscal year shall be made available only for Phase II of
133 the C-51 reservoir project or projects identified in
134 subparagraph 1. and must be used in accordance with laws
135 relating to such projects. Any funds made available for such
136 purposes in a fiscal year are in addition to the amount
137 appropriated under subparagraph 1. This distribution shall be
138 reduced by an amount equal to the debt service paid pursuant to
139 paragraph (a) on bonds issued after July 1, 2017, for the
140 purposes set forth in this subparagraph.

141 5. The sum of \$100 million is appropriated annually to the
142 Florida Forever Trust Fund ~~Notwithstanding subparagraph 3., for~~
143 ~~the 2019-2020 fiscal year, funds shall be appropriated as~~
144 ~~provided in the General Appropriations Act. This subparagraph~~
145 ~~expires July 1, 2020.~~

146 (4) Any remaining moneys in the Land Acquisition Trust
147 Fund which are not distributed as provided in subsection (3) may
148 be appropriated from time to time for the purposes set forth in
149 s. 28, Art. X of the State Constitution, except that moneys
150 distributed from the Land Acquisition Trust Fund may not be used

151 for costs associated with any of the following budget entities:

152 (a) The Executive Direction and Support Services and the
 153 Technology and Information Services within the Department of
 154 Environmental Protection.

155 (b) The Executive Direction and Support Services and the
 156 Office of Agriculture Technology Services within the Department
 157 of Agriculture and Consumer Services.

158 (c) The Office of Executive Direction and Administrative
 159 Support Services within the Fish and Wildlife Conservation
 160 Commission.

161 (d) The Executive Direction and Support Services within
 162 the Department of State.

163 Section 3. This act shall take effect July 1, 2020.