

By Senator Jones

35-01824-21

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1 A bill to be entitled
2 An act relating to requirements for establishing or
3 increasing tolls; creating s. 338.163, F.S.; requiring
4 an increase of a current toll or the development of a
5 new toll collection facility in a county with a
6 certain population to be approved by the board of
7 county commissioners; providing applicability;
8 providing definitions; amending s. 338.165, F.S.;
9 conforming provisions to changes made by the act;
10 providing an effective date.

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

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14 Section 1. Section 338.163, Florida Statutes, is created to
15 read:

16 338.163 Establishment or increase of tolls in certain
17 counties.-

18 (1) Before a tolling authority may increase the rate of a
19 current toll or develop a new toll collection facility on a
20 public highway located in a county with a population of more
21 than 1 million, the board of county commissioners of such county
22 must approve such increase or development by a two-thirds vote
23 at a regularly scheduled meeting of the board.

24 (a) This subsection applies only to a toll increase or
25 newly collected toll which has not been pledged to a project
26 that is approved as of July 1, 2022.

27 (b) This subsection does not apply to a project that is
28 approved as of July 1, 2022, and to which funding has been
29 allocated.

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30 (2) For purposes of this section, the term:

31 (a) "Approved" means that a project is part of an executed
32 contract or is warranted by official administrative action.

33 (b) "Pledged" means that funds have officially been
34 encumbered by contractual obligation or official administrative
35 action.

36 (c) "Tolling authority" means an entity that has the
37 authority to implement a toll increase or develop a new toll
38 collection facility, including, but not limited to, the
39 department, the Florida Turnpike Enterprise, a transportation or
40 expressway authority, a county, or any other entity having
41 jurisdiction over a public highway.

42 Section 2. Subsection (1) of section 338.165, Florida
43 Statutes, is amended to read:

44 338.165 Continuation of tolls.—

45 (1) The department, any transportation or expressway
46 authority or, in the absence of an authority, a county or
47 counties may continue to collect the toll on a revenue-producing
48 project after the discharge of any bond indebtedness related to
49 such project and may increase such toll except as provided in s.
50 338.163. All tolls so collected shall first be used to pay the
51 annual cost of the operation, maintenance, and improvement of
52 the toll project.

53 Section 3. This act shall take effect July 1, 2022.