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576-02163-15

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on General Government)

A bill to be entitled

An act relating to the implementation of the water and land conservation constitutional amendment; amending s. 201.15, F.S.; revising and deleting distributions of the tax; providing that specified distributions to the Land Acquisition Trust Fund are not subject to the service charge under s. 215.20, F.S.; revising the purposes for which distributions may be used; repealing s. 161.05301, F.S., relating to beach erosion control project staffing; repealing s. 161.091(3), F.S., relating to funding for the state's beach management plan; repealing s. 375.045, F.S., relating to the Florida Preservation 2000 Trust Fund; amending s. 375.075, F.S.; requiring specified public recreation projects to have been selected through the Department of Environmental Protection's competitive selection process prior to the release of funds; conforming provisions to changes made by the act; amending ss. 201.0205, 215.618, 215.619, 259.032, 259.1051, 339.0801, 339.55, 341.303, 343.58, 369.252, 379.214, 379.362, 403.8911, 420.5092, and 420.9073, F.S.; conforming provisions to changes made by the act; reenacting ss. 201.031(2), 339.2818(6), 339.2819(5), 339.61(3), 341.051(6), 373.470(4)(e), and 420.9079(1), F.S., to incorporate the amendment made by this act to s. 201.15, F.S., in references thereto; providing an effective date.



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

Section 1. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1). Before distribution pursuant to ~~under~~ this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The ~~Such~~ costs and ~~the~~ service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. ~~After distributions are made pursuant to subsection (1),~~ All of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2015, secured by revenues distributed pursuant to this section ~~subsection (1)~~. All taxes remaining after deduction of costs ~~and the service charge~~ shall be distributed as follows:

(1) All of the remaining taxes collected under this chapter are pledged and shall be first made available to make payments on bonds issued pursuant to s. 215.618 or s. 215.619, as provided under paragraphs (3) (a) and (b), or on any other bonds authorized to be issued on a parity basis with such bonds.



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57 Amounts necessary to make such payments shall be deposited in
58 the Land Acquisition Trust Fund.

59 (2) If the amounts deposited pursuant to subsection (1) are
60 less than 33 percent of all taxes collected after first
61 deducting the costs of collection, an amount equal to 33 percent
62 of all taxes collected after first deducting the costs of
63 collection, minus the amounts deposited pursuant to subsection
64 (1), shall be deposited in the Land Acquisition Trust Fund.

65 (3) Amounts on deposit in the Land Acquisition Trust Fund
66 ~~Sixty three and thirty one hundredths percent of the remaining~~
67 ~~taxes shall be used in for the following order purposes:~~

68 (a) Payment of ~~Amounts necessary to pay the debt service~~
69 ~~on, or funding of fund~~ debt service reserve funds, rebate
70 obligations, or other amounts payable with respect to
71 ~~Preservation 2000 bonds issued pursuant to s. 375.051 and~~
72 ~~Florida Forever bonds issued pursuant to s. 215.618, shall be~~
73 ~~paid into the State Treasury to the credit of the Land~~
74 ~~Acquisition Trust Fund to be used for such purposes. The amount~~
75 ~~used for such purposes transferred to the Land Acquisition Trust~~
76 ~~Fund may not exceed \$300 million in each fiscal year 1999-2000~~
77 ~~and thereafter for Preservation 2000 bonds and bonds issued to~~
78 ~~refund Preservation 2000 bonds, and \$300 million in fiscal year~~
79 ~~2000-2001 and thereafter for Florida Forever bonds. The annual~~
80 ~~amount transferred to the Land Acquisition Trust Fund for~~
81 ~~Florida Forever bonds may not exceed \$30 million in the first~~
82 ~~fiscal year in which bonds are issued. The limitation on the~~
83 ~~amount transferred shall be increased by an additional \$30~~
84 ~~million in each subsequent fiscal year, but may not exceed a~~
85 ~~total of \$300 million in any fiscal year for all bonds issued.~~



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86 It is the intent of the Legislature that all bonds issued to
87 fund the Florida Forever Act be retired by December 31, 2040.
88 Except for bonds issued to refund previously issued bonds, no
89 series of bonds may be issued pursuant to this paragraph unless
90 such bonds are approved and the debt service for the remainder
91 of the fiscal year in which the bonds are issued is specifically
92 appropriated in the General Appropriations Act. ~~For purposes of~~
93 ~~refunding Preservation 2000 bonds, amounts designated within~~
94 ~~this section for Preservation 2000 and Florida Forever bonds may~~
95 ~~be transferred between the two programs to the extent provided~~
96 ~~for in the documents authorizing the issuance of the bonds. The~~
97 ~~Preservation 2000 bonds and Florida Forever bonds are equally~~
98 ~~and ratably secured by moneys distributable to the Land~~
99 ~~Acquisition Trust Fund pursuant to this section, except as~~
100 ~~specifically provided otherwise by the documents authorizing the~~
101 ~~issuance of the bonds. Moneys transferred to the Land~~
102 ~~Acquisition Trust Fund pursuant to this paragraph, or earnings~~
103 ~~thereon, may not be used or made available to pay debt service~~
104 ~~on the Save Our Coast revenue bonds.~~

105 (b) Payment ~~Moneys shall be paid~~ into the State Treasury to
106 the credit of the Save Our Everglades Trust Fund in amounts
107 necessary to pay debt service, provide reserves, and pay rebate
108 obligations and other amounts due with respect to bonds issued
109 pursuant to ~~under~~ s. 215.619. Taxes distributed under paragraph
110 (a) and this paragraph must be collectively distributed on a pro
111 rata basis when the available moneys under this subsection are
112 not sufficient to cover the amounts required under paragraph (a)
113 and this paragraph.

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115 Bonds issued pursuant to s. 215.618 or s. 215.619 are equally
116 and ratably secured by moneys distributable to the Land
117 Acquisition Trust Fund.

118 (4)(e) After the required distributions to the Land
119 Acquisition Trust Fund pursuant to subsections (1) and (2) and
120 deduction of the service charge imposed pursuant to s. 215.20(1)
121 payments under paragraphs (a) and (b), the remainder shall be
122 distributed as follows paid into the State Treasury to the
123 credit of:

124 (a)1. The State Transportation Trust Fund in the Department
125 of Transportation in the amount of The lesser of 24.18442 ~~38.2~~
126 percent of the remainder or \$541.75 million in each fiscal year
127 shall be paid into the State Treasury to the credit of the State
128 Transportation Trust Fund. Out Of such funds, the first \$50
129 million for the 2012-2013 fiscal year; \$65 million for the 2013-
130 2014 fiscal year; and \$75 million for each the 2014-2015 fiscal
131 year and all subsequent years, shall be transferred to the State
132 Economic Enhancement and Development Trust Fund within the
133 Department of Economic Opportunity. Notwithstanding any other
134 law, the remaining amount credited to the State Transportation
135 Trust Fund shall remainder is to be used for the following
136 specified purposes, notwithstanding any other law to the
137 contrary:

138 1.a. For the purposes of Capital funding for the New Starts
139 Transit Program, authorized by Title 49, U.S.C. s. 5309 and
140 specified in s. 341.051, in the amount of 10 percent of the
141 these funds;

142 2.b. For the purposes of The Small County Outreach Program
143 specified in s. 339.2818, in the amount of 10 ~~5~~ percent of the



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144 ~~these funds. Effective July 1, 2014, the percentage allocated~~
145 ~~under this sub-subparagraph shall be increased to 10 percent;~~

146 ~~3.e. For the purposes of The Strategic Intermodal System~~
147 ~~specified in ss. 339.61, 339.62, 339.63, and 339.64, in the~~
148 ~~amount of 75 percent of the these funds after deduction of the~~
149 ~~payments required pursuant to subparagraphs 1. and 2. allocating~~
150 ~~for the New Starts Transit Program described in sub-subparagraph~~
151 ~~a. and the Small County Outreach Program described in sub-~~
152 ~~subparagraph b.; and~~

153 ~~4.d. For the purposes of The Transportation Regional~~
154 ~~Incentive Program specified in s. 339.2819, in the amount of 25~~
155 ~~percent of the these funds after deduction of the payments~~
156 ~~required pursuant to subparagraphs 1. and 2. allocating for the~~
157 ~~New Starts Transit Program described in sub-subparagraph a. and~~
158 ~~the Small County Outreach Program described in sub-subparagraph~~
159 ~~b. Effective July 1, 2014, The first \$60 million of the funds~~
160 ~~allocated pursuant to this subparagraph sub-subparagraph shall~~
161 ~~be allocated annually to the Florida Rail Enterprise for the~~
162 ~~purposes established in s. 341.303(5).~~

163 ~~(b)2. The Grants and Donations Trust Fund in the Department~~
164 ~~of Economic Opportunity in the amount of The lesser of .1456 .23~~
165 ~~percent of the remainder or \$3.25 million in each fiscal year~~
166 ~~shall be paid into the State Treasury to the credit of the~~
167 ~~Grants and Donations Trust Fund in the Department of Economic~~
168 ~~Opportunity to fund technical assistance to local governments.~~

169 ~~3. The Ecosystem Management and Restoration Trust Fund in~~
170 ~~the amount of the lesser of 2.12 percent of the remainder or \$30~~
171 ~~million in each fiscal year, to be used for the preservation and~~
172 ~~repair of the state's beaches as provided in ss. 161.091-~~



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173 ~~161.212.~~

174 ~~4. General Inspection Trust Fund in the amount of the~~
175 ~~lesser of .02 percent of the remainder or \$300,000 in each~~
176 ~~fiscal year to be used to fund oyster management and restoration~~
177 ~~programs as provided in s. 379.362(3).~~

178
179 ~~Moneys distributed pursuant to paragraphs (a) and (b) this~~
180 ~~paragraph may not be pledged for debt service unless such pledge~~
181 ~~is approved by referendum of the voters.~~

182 ~~(d) After the required payments under paragraphs (a), (b),~~
183 ~~and (c), the remainder shall be paid into the State Treasury to~~
184 ~~the credit of the General Revenue Fund to be used and expended~~
185 ~~for the purposes for which the General Revenue Fund was created~~
186 ~~and exists by law.~~

187 ~~(2) The lesser of 7.56 percent of the remaining taxes or~~
188 ~~\$84.9 million in each fiscal year shall be distributed as~~
189 ~~follows:~~

190 ~~(a) Six million and three hundred thousand dollars shall be~~
191 ~~paid into the State Treasury to the credit of the General~~
192 ~~Revenue Fund.~~

193 ~~(b) The remainder shall be paid into the State Treasury to~~
194 ~~the credit of the Land Acquisition Trust Fund. Sums deposited in~~
195 ~~the fund pursuant to this subsection may be used for any purpose~~
196 ~~for which funds deposited in the Land Acquisition Trust Fund may~~
197 ~~lawfully be used.~~

198 ~~(3) (a) The lesser of 1.94 percent of the remaining taxes or~~
199 ~~\$26 million in each fiscal year shall be distributed in the~~
200 ~~following order:~~

201 ~~1. Amounts necessary to pay debt service or to fund debt~~



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202 ~~service reserve funds, rebate obligations, or other amounts~~
203 ~~payable with respect to bonds issued before February 1, 2009,~~
204 ~~pursuant to this subsection shall be paid into the State~~
205 ~~Treasury to the credit of the Land Acquisition Trust Fund.~~

206 ~~2. Eleven million dollars shall be paid into the State~~
207 ~~Treasury to the credit of the General Revenue Fund.~~

208 ~~3. The remainder shall be paid into the State Treasury to~~
209 ~~the credit of the Land Acquisition Trust Fund.~~

210 ~~(b) Moneys deposited in the Land Acquisition Trust Fund~~
211 ~~pursuant to this subsection shall be used to acquire coastal~~
212 ~~lands or to pay debt service on bonds issued to acquire coastal~~
213 ~~lands and to develop and manage lands acquired with moneys from~~
214 ~~the trust fund.~~

215 ~~(4) The lesser of 4.2 percent of the remaining taxes or~~
216 ~~\$60.5 million in each fiscal year shall be paid into the State~~
217 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~
218 ~~Sums deposited in that fund may be used for any purpose~~
219 ~~authorized in s. 373.59. An amount equal to the amounts~~
220 ~~necessary to pay debt service or to fund debt service reserve~~
221 ~~funds, rebate obligations, or other amounts payable with respect~~
222 ~~to bonds authorized pursuant to s. 215.619(1)(a)2. and the~~
223 ~~proviso associated with Specific Appropriation 1626A of the~~
224 ~~2014-2015 General Appropriations Act shall be transferred~~
225 ~~annually from the Water Management Lands Trust Fund to the~~
226 ~~General Revenue Fund.~~

227 ~~(5) Of the remaining taxes, 3.52 percent shall be paid into~~
228 ~~the State Treasury to the credit of the Conservation and~~
229 ~~Recreation Lands Trust Fund to carry out the purposes set forth~~
230 ~~in s. 259.032. Eleven and fifteen hundredths percent of the~~



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231 ~~amount credited to the Conservation and Recreation Lands Trust~~
232 ~~Fund pursuant to this subsection shall be transferred to the~~
233 ~~State Game Trust Fund and used for land management activities.~~

234 ~~(6) The lesser of 2.28 percent of the remaining taxes or~~
235 ~~\$34.1 million in each fiscal year shall be paid into the State~~
236 ~~Treasury to the credit of the Invasive Plant Control Trust Fund~~
237 ~~to carry out the purposes set forth in ss. 369.22 and 369.252.~~

238 ~~(7) The lesser of .5 percent of the remaining taxes or \$9.3~~
239 ~~million in each fiscal year shall be paid into the State~~
240 ~~Treasury to the credit of the State Game Trust Fund to be used~~
241 ~~exclusively for the purpose of implementing the Lake Restoration~~
242 ~~2020 Program.~~

243 ~~(8) One-half of one percent of the remaining taxes shall be~~
244 ~~paid into the State Treasury and divided equally to the credit~~
245 ~~of the Department of Environmental Protection Water Quality~~
246 ~~Assurance Trust Fund to address water quality impacts associated~~
247 ~~with nonagricultural nonpoint sources and to the credit of the~~
248 ~~Department of Agriculture and Consumer Services General~~
249 ~~Inspection Trust Fund to address water quality impacts~~
250 ~~associated with agricultural nonpoint sources, respectively.~~
251 ~~These funds shall be used for research, development,~~
252 ~~demonstration, and implementation of suitable best management~~
253 ~~practices or other measures used to achieve water quality~~
254 ~~standards in surface waters and water segments identified~~
255 ~~pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-~~
256 ~~500, 33 U.S.C. ss. 1251 et seq. Implementation of best~~
257 ~~management practices and other measures may include cost-share~~
258 ~~grants, technical assistance, implementation tracking, and~~
259 ~~conservation leases or other agreements for water quality~~



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260 ~~improvement. The Department of Environmental Protection and the~~
261 ~~Department of Agriculture and Consumer Services may adopt rules~~
262 ~~governing the distribution of funds for implementation of best~~
263 ~~management practices. The unobligated balance of funds received~~
264 ~~from the distribution of taxes collected under this chapter to~~
265 ~~address water quality impacts associated with nonagricultural~~
266 ~~nonpoint sources must be excluded when calculating the~~
267 ~~unobligated balance of the Water Quality Assurance Trust Fund as~~
268 ~~it relates to the determination of the applicable excise tax~~
269 ~~rate.~~

270 (c) ~~(9)~~ Seven and fifty-three hundredths percent of the
271 remainder ~~remaining taxes~~ in each fiscal year shall be paid into
272 the State Treasury to the credit of the State Housing Trust
273 Fund. ~~Out~~ Of such funds, ~~beginning in the 2012-2013 fiscal year,~~
274 the first \$35 million shall be transferred annually, subject to
275 any distribution required pursuant to ~~under~~ subsection (5) ~~(15)~~,
276 to the State Economic Enhancement and Development Trust Fund
277 within the Department of Economic Opportunity. The remainder
278 shall be used as follows:

279 1. ~~(a)~~ Half of that amount shall be used for the purposes
280 for which the State Housing Trust Fund was created and exists by
281 law.

282 2. ~~(b)~~ Half of that amount shall be paid into the State
283 Treasury to the credit of the Local Government Housing Trust
284 Fund and used for the purposes for which the Local Government
285 Housing Trust Fund was created and exists by law.

286 (d) ~~(10)~~ Eight and sixty-six hundredths percent of the
287 remainder ~~remaining taxes~~ in each fiscal year shall be paid into
288 the State Treasury to the credit of the State Housing Trust



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289 Fund. ~~Out~~ Of such funds, ~~beginning in the 2012-2013 fiscal year,~~
290 the first \$40 million shall be transferred annually, subject to
291 any distribution required pursuant to ~~under~~ subsection (5) ~~(15)~~,
292 to the State Economic Enhancement and Development Trust Fund
293 within the Department of Economic Opportunity. The remainder
294 shall be used as follows:

295 1. ~~(a)~~ Twelve and one-half percent of that amount shall be
296 deposited into the State Housing Trust Fund and ~~be~~ expended by
297 the Department of Economic Opportunity and ~~by~~ the Florida
298 Housing Finance Corporation for the purposes for which the State
299 Housing Trust Fund was created and exists by law.

300 2. ~~(b)~~ Eighty-seven and one-half percent of that amount
301 shall be distributed to the Local Government Housing Trust Fund
302 and used for the purposes for which the Local Government Housing
303 Trust Fund was created and exists by law. Funds from this
304 category may also be used to provide for state and local
305 services to assist the homeless.

306 (e) The sum of \$1.16 million in each fiscal year shall be
307 paid into the State Treasury to the credit of the Internal
308 Improvement Trust Fund for the purpose of making payment in lieu
309 of taxes under s. 259.032(12)(b).

310 ~~(11) The distribution of proceeds deposited into the Water~~
311 ~~Management Lands Trust Fund and the Conservation and Recreation~~
312 ~~Lands Trust Fund, pursuant to subsections (4) and (5), may not~~
313 ~~be used for land acquisition but may be used for preacquisition~~
314 ~~costs associated with land purchases. The Legislature intends~~
315 ~~that the Florida Forever program supplant the acquisition~~
316 ~~programs formerly authorized under ss. 259.032 and 373.59.~~

317 ~~(12) Amounts distributed pursuant to subsections (5), (6),~~



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318 ~~(7), and (8) are subject to the payment of debt service on~~
319 ~~outstanding Conservation and Recreation Lands revenue bonds.~~

320 ~~(13) In each fiscal year that the remaining taxes exceed~~
321 ~~collections in the prior fiscal year, the stated maximum dollar~~
322 ~~amounts provided in subsections (2), (4), (6), and (7) shall~~
323 ~~each be increased by an amount equal to 10 percent of the~~
324 ~~increase in the remaining taxes collected under this chapter~~
325 ~~multiplied by the applicable percentage provided in these~~
326 ~~subsections.~~

327 ~~(14) If the payment requirements in any year for bonds~~
328 ~~outstanding on July 1, 2007, or bonds issued to refund such~~
329 ~~bonds, exceed the limitations of this section, distributions to~~
330 ~~the trust fund from which the bond payments are made must be~~
331 ~~increased to the lesser of the amount needed to pay bond~~
332 ~~obligations or the limit of the applicable percentage~~
333 ~~distribution provided in subsections (1) (10).~~

334 ~~(5) (15) Distributions to the State Housing Trust Fund~~
335 ~~pursuant to paragraphs (4) (c) and (d) subsections (9) and (10)~~
336 ~~must be sufficient to cover amounts required to be transferred~~
337 ~~to the Florida Affordable Housing Guarantee Program's annual~~
338 ~~debt service reserve and guarantee fund pursuant to s.~~
339 ~~420.5092(6) (a) and (b) up to the amount required to be~~
340 ~~transferred to such reserve and fund based on the percentage~~
341 ~~distribution of documentary stamp tax revenues to the State~~
342 ~~Housing Trust Fund which is in effect in the 2004-2005 fiscal~~
343 ~~year.~~

344 ~~(16) If amounts necessary to pay debt service or any other~~
345 ~~amounts payable with respect to Preservation 2000 bonds, Florida~~
346 ~~Forever bonds, or Everglades Restoration bonds authorized before~~



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347 ~~January 1, 2015, exceed the amounts distributable pursuant to~~
348 ~~subsection (1), all moneys distributable pursuant to this~~
349 ~~section are available for such obligations and transferred in~~
350 ~~the amounts necessary to pay such obligations when due. However,~~
351 ~~amounts distributable pursuant to subsection (2), subsection~~
352 ~~(3), subsection (4), subsection (5), paragraph (9) (a), or~~
353 ~~paragraph (10) (a) are not available to pay such obligations to~~
354 ~~the extent that such moneys are necessary to pay debt service on~~
355 ~~bonds secured by revenues pursuant to those provisions.~~

356 ~~(6) (17)~~ After the distributions provided in the preceding
357 subsections, any remaining taxes shall be paid into the State
358 Treasury to the credit of the General Revenue Fund.

359 Section 2. Section 161.05301, Florida Statutes, is
360 repealed.

361 Section 3. Subsection (3) of section 161.091, Florida
362 Statutes, is repealed.

363 Section 4. Section 375.045, Florida Statutes, is repealed.

364 Section 5. Subsection (1) and paragraph (c) of subsection
365 (2) of section 375.075, Florida Statutes, are amended to read:

366 375.075 Outdoor recreation; financial assistance to local
367 governments.—

368 (1) The Department of Environmental Protection may ~~is~~
369 ~~authorized to~~ establish the Florida Recreation Development
370 Assistance Program to provide grants to qualified local
371 governmental entities to acquire or develop land for public
372 outdoor recreation purposes. ~~To the extent not needed for debt~~
373 ~~service on bonds issued pursuant to s. 375.051, each year The~~
374 department shall annually develop and plan a program ~~which shall~~
375 ~~be based upon funding of not less than 5 percent of the money~~



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376 ~~credited to the Land Acquisition Trust Fund pursuant to s.~~
377 ~~201.15(2) and (3) in that year. The department shall develop and~~
378 ~~plan a program which shall be based upon the cumulative total~~
379 ~~funding provided from this section and from the Florida Forever~~
380 ~~Trust Fund pursuant to s. 259.105(3)(d).~~

381 (2)

382 (c) Funds may not be released under ~~No release of funds~~
383 ~~from the Land Acquisition Trust Fund, or from the Florida~~
384 ~~Forever Trust Fund beginning in fiscal year 2001-2002, for this~~
385 ~~program may be made for these public recreation projects until~~
386 ~~the projects have been selected through the competitive~~
387 ~~selection process provided for in this section.~~

388 Section 6. Section 201.0205, Florida Statutes, is amended
389 to read:

390 201.0205 Counties that have implemented ch. 83-220;
391 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,
392 Laws of Florida.—The 10-cent tax increase in the documentary
393 stamp tax levied by s. 2, chapter 92-317, does not apply to
394 deeds and other taxable instruments relating to real property
395 located in any county that has implemented the provisions of
396 chapter 83-220, Laws of Florida, as amended by chapters 84-270,
397 86-152, and 89-252, Laws of Florida. Each such county and each
398 eligible jurisdiction within such county may ~~shall~~ not be
399 ~~eligible to~~ participate in programs funded pursuant to s.
400 201.15(4)(c) ~~s. 201.15(9)~~. However, each such county and each
401 eligible jurisdiction within such county may ~~shall be eligible~~
402 ~~to~~ participate in programs funded pursuant to s. 201.15(4)(d) ~~s.~~
403 ~~201.15(10)~~.

404 Section 7. Paragraph (a) of subsection (1) and subsection



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405 (3) of section 215.618, Florida Statutes, are amended to read:

406 215.618 Bonds for acquisition and improvement of land,
407 water areas, and related property interests and resources.—

408 (1) (a) The issuance of Florida Forever bonds, not to exceed
409 \$5.3 billion, to finance or refinance the cost of acquisition
410 and improvement of land, water areas, and related property
411 interests and resources, in urban and rural settings, for the
412 purposes of restoration, conservation, recreation, water
413 resource development, or historical preservation, and for
414 capital improvements to lands and water areas that accomplish
415 environmental restoration, enhance public access and
416 recreational enjoyment, promote long-term management goals, and
417 facilitate water resource development is ~~hereby~~ authorized,
418 subject to ~~the provisions of~~ s. 259.105 and pursuant to s.
419 11(e), Art. VII of the State Constitution. ~~Florida Forever bonds~~
420 ~~may also be issued to refund Preservation 2000 bonds issued~~
421 ~~pursuant to s. 375.051. The \$5.3 billion limitation on the~~
422 ~~issuance of Florida Forever bonds does not apply to refunding~~
423 ~~bonds.~~ The duration of each series of Florida Forever bonds
424 issued may not exceed 20 annual maturities. ~~Preservation 2000~~
425 ~~bonds and Florida Forever bonds shall be equally and ratably~~
426 ~~secured by moneys distributable to the Land Acquisition Trust~~
427 ~~Fund pursuant to s. 201.15(1)(a), except to the extent~~
428 ~~specifically provided otherwise by the documents authorizing the~~
429 ~~issuance of the bonds.~~

430 (3) Bonds issued pursuant to this section are ~~shall be~~
431 payable from taxes distributable to the Land Acquisition Trust
432 Fund pursuant to s. 201.15(1)(~~a~~). Bonds issued pursuant to this
433 section do ~~shall~~ not constitute a general obligation of, or a



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434 pledge of the full faith and credit of, the state.

435 Section 8. Subsections (2) and (3) of section 215.619,
436 Florida Statutes, are amended to read:

437 215.619 Bonds for Everglades restoration.—

438 (2) The state covenants with the holders of Everglades
439 restoration bonds that it will not take any action that will
440 materially and adversely affect the rights of the holders so
441 long as the bonds are outstanding, including, but not limited
442 to, a reduction in the portion of documentary stamp taxes
443 distributable pursuant to ~~under~~ s. 201.15(1) for payment of debt
444 service on ~~Preservation 2000 bonds,~~ Florida Forever bonds, or
445 Everglades restoration bonds.

446 (3) Everglades restoration bonds are payable from, and
447 secured by a first lien on, taxes distributable pursuant to
448 ~~under~~ s. 201.15(1) ~~(b)~~ and do not constitute a general obligation
449 of, or a pledge of the full faith and credit of, the state.
450 Everglades restoration bonds shall be secured on a parity basis
451 with bonds secured by moneys distributable pursuant to ~~under~~ s.
452 201.15(1) ~~(a)~~.

453 Section 9. Paragraph (a) of subsection (2) of section
454 259.032, Florida Statutes, is amended to read:

455 259.032 Conservation and Recreation Lands Trust Fund;
456 purpose.—

457 (2) (a) The Conservation and Recreation Lands Trust Fund is
458 established within the Department of Environmental Protection.
459 The fund shall be used as a nonlapsing, revolving fund
460 exclusively for the purposes of this section. The Department of
461 Revenue fund shall credit the fund each month ~~be credited~~ with
462 the proceeds from the ~~following excise taxes:~~



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463 ~~1. The excise taxes on documents as provided in s. 201.15;~~
464 ~~and~~

465 ~~2. The excise tax on the severance of phosphate rock as~~
466 ~~provided in s. 211.3103.~~

467
468 ~~The Department of Revenue shall credit to the fund each month~~
469 ~~the proceeds from such taxes as provided in this paragraph.~~

470 Section 10. Subsections (1) and (3) of section 259.1051,
471 Florida Statutes, are amended to read:

472 259.1051 Florida Forever Trust Fund.—

473 (1) ~~There is created~~ The Florida Forever Trust Fund is
474 created to carry out the purposes of ss. 259.032, 259.105,
475 259.1052, and 375.031. The Florida Forever Trust Fund shall be
476 held and administered by the department ~~of Environmental~~
477 ~~Protection~~. Proceeds from the sale of bonds, except proceeds of
478 refunding bonds, issued pursuant to ~~under~~ s. 215.618 and payable
479 from moneys transferred to the Land Acquisition Trust Fund
480 pursuant to ~~under~~ s. 201.15(1)(~~a~~), not to exceed \$5.3 billion,
481 shall ~~must~~ be deposited into this trust fund to be distributed
482 and used as provided in s. 259.105(3). The bond resolution
483 adopted by the governing board of the division ~~of Bond Finance~~
484 ~~of the State Board of Administration~~ may provide for additional
485 provisions that govern the disbursement of the bond proceeds.

486 (3) The department ~~of Environmental Protection~~ shall ensure
487 that the proceeds from the sale of bonds issued pursuant to
488 ~~under~~ s. 215.618 and payable from moneys transferred to the Land
489 Acquisition Trust Fund pursuant to ~~under~~ s. 201.15(1)(~~a~~) are
490 ~~shall be~~ administered and expended in a manner that ensures
491 compliance of each issue of bonds that are issued on the basis



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492 that interest thereon will be excluded from gross income for
493 federal income tax purposes, with the applicable provisions of
494 the United States Internal Revenue Code and the regulations
495 adopted ~~promulgated~~ thereunder, to the extent necessary to
496 preserve the exclusion of interest on the bonds from gross
497 income for federal income tax purposes. The department ~~of~~
498 ~~Environmental Protection~~ shall administer the use and
499 disbursement of the proceeds of such bonds or require that such
500 ~~the~~ use and disbursement ~~thereof~~ be administered in a manner to
501 implement strategies to maximize any available benefits under
502 the applicable provisions of the United States Internal Revenue
503 Code or regulations adopted ~~promulgated~~ thereunder, if
504 consistent ~~to the extent not inconsistent~~ with the purposes
505 identified in s. 259.105(3).

506 Section 11. Subsection (4) of section 339.0801, Florida
507 Statutes, is amended to read:

508 339.0801 Allocation of increased revenues derived from
509 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result
510 from increased revenues to the State Transportation Trust Fund
511 derived from the amendments to s. 319.32(5)(a) made by this act
512 must be used annually, first as set forth in subsection (1) and
513 then as set forth in subsections (2)-(5), notwithstanding any
514 other provision of law:

515 (4) Beginning in the 2013-2014 fiscal year and annually
516 thereafter, \$10 million shall be allocated to the Small County
517 Outreach Program, to be used as specified in s. 339.2818. These
518 funds are in addition to the funds provided for the program
519 pursuant to s. 201.15 ~~in s. 201.15(1)(e)1.b.~~

520 Section 12. Subsection (9) of section 339.55, Florida



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521 Statutes, is amended to read:

522 339.55 State-funded infrastructure bank.—

523 (9) Funds paid into the State Transportation Trust Fund
524 pursuant to s. 201.15 ~~s. 201.15(1)(c)~~ for the purposes of the
525 State Infrastructure Bank are hereby annually appropriated for
526 expenditure to support that program.

527 Section 13. Subsection (5) of section 341.303, Florida
528 Statutes, is amended to read:

529 341.303 Funding authorization and appropriations;
530 eligibility and participation.—

531 (5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—

532 ~~(a)~~ The department, through the Florida Rail Enterprise, is
533 authorized to use funds provided pursuant to s. 201.15(4)(a)4.
534 ~~under s. 201.15(1)(c)1.d.~~ to fund:

535 (a) Up to 50 percent of the nonfederal share of the costs
536 of any eligible passenger rail capital improvement project.

537 ~~(b) The department, through the Florida Rail Enterprise, is~~
538 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~
539 ~~fund~~ Up to 100 percent of planning and development costs related
540 to the provision of a passenger rail system, including, but not
541 limited to, preliminary engineering, revenue studies,
542 environmental impact studies, financial advisory services,
543 engineering design, and other appropriate professional services.

544 ~~(c) The department, through the Florida Rail Enterprise, is~~
545 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~
546 ~~fund~~ The high-speed rail system.

547 ~~(d) The department, through the Florida Rail Enterprise, is~~
548 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~
549 ~~fund~~ Projects necessary to identify or address anticipated



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550 impacts of increased freight rail traffic resulting from the
551 implementation of passenger rail systems as provided in s.
552 341.302(3)(b).

553 Section 14. Paragraph (b) of subsection (4) of section
554 343.58, Florida Statutes, is amended to read:

555 343.58 County funding for the South Florida Regional
556 Transportation Authority.—

557 (4) Notwithstanding any other provision of law to the
558 contrary and effective July 1, 2010, until as provided in
559 paragraph (d), the department shall transfer annually from the
560 State Transportation Trust Fund to the South Florida Regional
561 Transportation Authority the amounts specified in subparagraph
562 (a)1. or subparagraph (a)2.

563 (b) Funding required by this subsection may not be provided
564 from the funds dedicated to the Florida Rail Enterprise pursuant
565 to s. 201.15(4)(a)4 ~~under s. 201.15(1)(c)1.d.~~

566 Section 15. Section 369.252, Florida Statutes, is amended
567 to read:

568 369.252 Invasive plant control on public lands.—The Fish
569 and Wildlife Conservation Commission shall establish a program
570 that will accomplish all of the following ~~to~~:

571 (1) Achieve eradication or maintenance control of invasive
572 exotic plants on public lands when the scientific data indicate
573 that they are detrimental to the state's natural environment or
574 when the Commissioner of Agriculture finds that such plants or
575 specific populations thereof are a threat to the agricultural
576 productivity of the state. ~~†~~

577 (2) Assist state and local government agencies in the
578 development and implementation of coordinated management plans



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579 for the eradication or maintenance control of invasive exotic
580 plant species on public lands.~~†~~

581 (3) Contract, or enter into agreements, with entities in
582 the State University System or other governmental or private
583 sector entities for research concerning control agents;
584 production and growth of biological control agents; and
585 development of workable methods for the eradication or
586 maintenance control of invasive exotic plants on public lands.~~†~~
587 and

588 (4) Use funds in the Invasive Plant Control Trust Fund as
589 authorized by the Legislature for carrying out activities under
590 this section on public lands. ~~A minimum of 20 percent of the~~
591 ~~amount credited to the Invasive Plant Control Trust Fund~~
592 ~~pursuant to s. 201.15(6) shall be used for the purpose of~~
593 ~~controlling nonnative, upland, invasive plant species on public~~
594 ~~lands.~~

595 Section 16. Subsection (2) of section 379.214, Florida
596 Statutes, is amended to read:

597 379.214 Invasive Plant Control Trust Fund.—

598 (2) Funds to be credited to and uses of the trust fund
599 shall be administered in accordance with the provisions of ss.
600 ~~201.15,~~ 206.606, 328.76, 369.20, 369.22, 369.252, and 379.502.

601 Section 17. Subsection (3) of section 379.362, Florida
602 Statutes, is amended to read:

603 379.362 Wholesale and retail saltwater products dealers;
604 regulation.—

605 (3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The
606 Department of Agriculture and Consumer Services shall ~~use or~~
607 ~~distribute funds paid into the State Treasury to the credit of~~



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608 ~~the General Inspection Trust Fund pursuant to s. 201.15, less~~
609 ~~reasonable costs of administration, to~~ fund the following oyster
610 management and restoration programs in Apalachicola Bay and
611 other oyster harvest areas in the state:

612 (a) The relaying and transplanting of live oysters.

613 (b) Shell planting to construct or rehabilitate oyster
614 bars.

615 (c) Education programs for licensed oyster harvesters on
616 oyster biology, aquaculture, boating and water safety,
617 sanitation, resource conservation, small business management,
618 and other relevant subjects.

619 (d) Research directed toward the enhancement of oyster
620 production in the bay and the water management needs of the bay.

621 Section 18. Section 403.8911, Florida Statutes, is amended
622 to read:

623 403.8911 Annual appropriation from the Water Protection and
624 Sustainability Program Trust Fund.—

625 ~~(1)~~ Funds paid into the Water Protection and Sustainability
626 Program Trust Fund ~~pursuant to s. 201.15~~ are hereby annually
627 appropriated for expenditure for the purposes for which the
628 ~~Water Protection and Sustainability Program~~ trust fund is
629 established.

630 ~~(2)~~ If the ~~Water Protection and Sustainability Program~~
631 trust fund is not created, such funds are hereby annually
632 appropriated for expenditure from the Ecosystem Management and
633 Restoration Trust Fund solely for the purposes established in s.
634 403.890.

635 Section 19. Subsections (5) and (6) of section 420.5092,
636 Florida Statutes, are amended to read:



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637 420.5092 Florida Affordable Housing Guarantee Program.—
638 (5) Pursuant to s. 16, Art. VII of the State Constitution,
639 the corporation may issue, in accordance with s. 420.509,
640 revenue bonds of the corporation to establish the guarantee
641 fund. The ~~Such~~ revenue bonds are ~~shall be~~ primarily payable from
642 and secured by annual debt service reserves, from interest
643 earned on funds on deposit in the guarantee fund, from fees,
644 charges, and reimbursements established by the corporation for
645 the issuance of affordable housing guarantees, and from any
646 other revenue sources received by the corporation and deposited
647 by the corporation into the guarantee fund for the issuance of
648 affordable housing guarantees. If ~~To the extent~~ such primary
649 revenue sources are considered insufficient by the corporation,
650 pursuant to the certification provided in subsection (6), to
651 fully fund the annual debt service reserve, the certified
652 deficiency in such reserve is also ~~shall be~~ additionally payable
653 from the first proceeds of the documentary stamp tax moneys
654 deposited into the State Housing Trust Fund pursuant to s.
655 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the
656 ensuing state fiscal year.

657 (6) (a) If the primary revenue sources to be used for
658 repayment of revenue bonds used to establish the guarantee fund
659 are insufficient for such repayment, the annual principal and
660 interest due on each series of revenue bonds is ~~shall be~~ payable
661 from funds in the annual debt service reserve. The corporation
662 shall, before June 1 of each year, perform a financial audit to
663 determine whether at the end of the state fiscal year there will
664 be on deposit in the guarantee fund an annual debt service
665 reserve from interest earned pursuant to the investment of the



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666 guarantee fund, fees, charges, and reimbursements received from
667 issued affordable housing guarantees and other revenue sources
668 available to the corporation. Based upon the findings in such
669 guarantee fund financial audit, the corporation shall certify to
670 the Chief Financial Officer the amount of any projected
671 deficiency in the annual debt service reserve for any series of
672 outstanding bonds as of the end of the state fiscal year and the
673 amount necessary to maintain such annual debt service reserve.
674 Upon receipt of such certification, the Chief Financial Officer
675 shall transfer to the annual debt service reserve, from the
676 first available taxes distributed to the State Housing Trust
677 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
678 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
679 certified as necessary to maintain the annual debt service
680 reserve.

681 (b) If the claims payment obligations under affordable
682 housing guarantees from amounts on deposit in the guarantee fund
683 would cause the claims paying rating assigned to the guarantee
684 fund to be less than the third-highest rating classification of
685 any nationally recognized rating service, which classifications
686 being consistent with s. 215.84(3) and rules adopted thereto by
687 the State Board of Administration, the corporation shall certify
688 to the Chief Financial Officer the amount of such claims payment
689 obligations. Upon receipt of such certification, the Chief
690 Financial Officer shall transfer to the guarantee fund, from the
691 first available taxes distributed to the State Housing Trust
692 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
693 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
694 certified as necessary to meet such obligations, such transfer



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695 to be subordinate to any transfer referenced in paragraph (a)
696 and not to exceed 50 percent of the amounts distributed to the
697 State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s.~~
698 ~~201.15(9)(a) and (10)(a)~~ during the preceding state fiscal year.

699 Section 20. Subsections (1), (2), and (3) of section
700 420.9073, Florida Statutes, are amended to read:

701 420.9073 Local housing distributions.-

702 (1) Distributions calculated in this section shall be
703 disbursed on a quarterly or more frequent basis by the
704 corporation pursuant to s. 420.9072, subject to availability of
705 funds. Each county's share of the funds to be distributed from
706 the portion of the funds in the Local Government Housing Trust
707 Fund received pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ shall be
708 calculated by the corporation for each fiscal year as follows:

709 (a) Each county other than a county that has implemented
710 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by
711 chapters 84-270, 86-152, and 89-252, Laws of Florida, shall
712 receive the guaranteed amount for each fiscal year.

713 (b) Each county other than a county that has implemented
714 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by
715 chapters 84-270, 86-152, and 89-252, Laws of Florida, may
716 receive an additional share calculated as follows:

717 1. Multiply each county's percentage of the total state
718 population excluding the population of any county that has
719 implemented ~~the provisions of~~ chapter 83-220, Laws of Florida,
720 as amended by chapters 84-270, 86-152, and 89-252, Laws of
721 Florida, by the total funds to be distributed.

722 2. If the result in subparagraph 1. is less than the
723 guaranteed amount as determined in subsection (3), that county's



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724 additional share shall be zero.

725 3. For each county in which the result in subparagraph 1.
726 is greater than the guaranteed amount as determined in
727 subsection (3), the amount calculated in subparagraph 1. shall
728 be reduced by the guaranteed amount. The result for each such
729 county shall be expressed as a percentage of the amounts so
730 determined for all counties. Each such county shall receive an
731 additional share equal to such percentage multiplied by the
732 total funds received by the Local Government Housing Trust Fund
733 pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ reduced by the
734 guaranteed amount paid to all counties.

735 (2) Distributions calculated in this section shall be
736 disbursed on a quarterly or more frequent basis by the
737 corporation pursuant to s. 420.9072, subject to availability of
738 funds. Each county's share of the funds to be distributed from
739 the portion of the funds in the Local Government Housing Trust
740 Fund received pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ shall be
741 calculated by the corporation for each fiscal year as follows:

742 (a) Each county shall receive the guaranteed amount for
743 each fiscal year.

744 (b) Each county may receive an additional share calculated
745 as follows:

746 1. Multiply each county's percentage of the total state
747 population, by the total funds to be distributed.

748 2. If the result in subparagraph 1. is less than the
749 guaranteed amount as determined in subsection (3), that county's
750 additional share shall be zero.

751 3. For each county in which the result in subparagraph 1.
752 is greater than the guaranteed amount, the amount calculated in



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753 subparagraph 1. shall be reduced by the guaranteed amount. The
754 result for each such county shall be expressed as a percentage
755 of the amounts so determined for all counties. Each such county
756 shall receive an additional share equal to this percentage
757 multiplied by the total funds received by the Local Government
758 Housing Trust Fund pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ as
759 reduced by the guaranteed amount paid to all counties.

760 (3) Calculation of guaranteed amounts:

761 (a) The guaranteed amount under subsection (1) shall be
762 calculated for each state fiscal year by multiplying \$350,000 by
763 a fraction, the numerator of which is the amount of funds
764 distributed to the Local Government Housing Trust Fund pursuant
765 to s. 201.15(4)(c) ~~s. 201.15(9)~~ and the denominator of which is
766 the total amount of funds distributed to the Local Government
767 Housing Trust Fund pursuant to s. 201.15.

768 (b) The guaranteed amount under subsection (2) shall be
769 calculated for each state fiscal year by multiplying \$350,000 by
770 a fraction, the numerator of which is the amount of funds
771 distributed to the Local Government Housing Trust Fund pursuant
772 to s. 201.15(4)(d) ~~s. 201.15(10)~~ and the denominator of which is
773 the total amount of funds distributed to the Local Government
774 Housing Trust Fund pursuant to s. 201.15.

775 Section 21. Subsection (2) of s. 201.031, subsection (6) of
776 s. 339.2818, subsection (5) of s. 339.2819, subsection (3) of s.
777 339.61, subsection (6) of s. 341.051, paragraph (e) of
778 subsection (4) of s. 373.470, and subsection (1) of s. 420.9079,
779 Florida Statutes, are reenacted for the purpose of incorporating
780 the amendment made by this act to s. 201.15, Florida Statutes,
781 in references thereto.



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Section 22. This act shall take effect July 1, 2015.