	Bill No. <u>HB 289</u>
	Amendment No
	CHAMBER ACTION House
1	
1 2	
3	
4	
5	
6	
7	
8	
9	
10	
11	Senator Burt moved the following amendment:
12	
13	Senate Amendment (with title amendment)
14	On page 3, between lines 24 and 25,
15	
16	insert:
17	(8) LOCAL LAW ENFORCEMENT SURTAX
18	(a) Any county may levy a discretionary sales surtax
19	of .05 percent or 1 percent pursuant to an ordinance approved
20	by an extraordinary vote of the county governing authority or
21	approved by a majority vote of the county governing authority
22	and conditioned to take effect upon approval by a majority
23	vote of the electors of the county voting in a referendum. As
24	used in this subsection, the term "local law enforcement
25	agency" means a Sheriff's Office or any municipal police
26	department that possesses law enforcement responsibilities and
27	which has jurisdictional boundaries that are totally within a
28	single county.
29 20	(b) The proceeds and interest of the surtax may be
30 21	used for the operation, equipment, administration, and
31	maintenance of the local law enforcement agencies specified in
	1 h0289c-16m0c

Bill No. <u>HB 289</u> Amendment No. ____

-	
1	the ordinance approved by the county governing authority.
2	(c) A municipality within the county that operates a
3	municipal police department or contracts with another local
4	law enforcement agency for such services may receive a portion
5	of the proceeds of the surtax, if the governing body of the
6	municipality approves a resolution in support of the county
7	ordinance and which requests to receive a portion of the
8	surtax proceeds. The resolution must be approved and
9	transmitted to the county governing authority prior to any
10	referendum, but no later than 30 days after the county surtax
11	ordinance is approved. If the surtax requires approval in a
12	referendum, the governing body of the municipality must
13	approve the resolution by a simple majority. If the surtax is
14	approved solely by an extraordinary majority of the county
15	governing authority, the governing body of the municipality
16	must approve the resolution by an extraordinary majority. The
17	proceeds and interest from the surtax shall be distributed as
18	provided in s. 212.055(e)2.
19	(d) If the ordinance is conditioned upon a referendum,
20	the proposal to adopt the local law enforcement surtax shall
21	be placed on the ballot in accordance with law at a time to be
22	set at the discretion of the county governing authority. The
23	referendum question on the ballot shall include a brief and
24	general description of the local law enforcement services to
25	be funded by the surtax and the statement must conform to the
26	requirements of s. 101.161 and be placed on the ballot by the
27	county governing authority. The following question shall be
28	placed on the ballot:
29	
30	FOR THE CENTS TAX
31	AGAINST THE CENTS TAX
	7:50 PM 04/26/99 2 h0289c-16m0c

Bill No. <u>HB 289</u>

Amendment No. ____

1	(e) Proceeds from the surtax shall be:
2	1. Deposited by the county in a special fund, set
3	aside from other county funds, to be used only for the
4	operation, equipment, administration, and maintenance of the
5	local law enforcement agencies specified by the ordinance.
б	2. If the proceeds are to be distributed to one or
7	more municipalities, the amount of the proceeds remitted to
8	each municipality shall be pursuant to s. 218.62(3), with the
9	remainder remitted to the Sheriff's Office of the county.
10	(f) The surtax may not be levied beyond the time
11	established in the ordinance, or, if the ordinance does not
12	limit the period of the levy, for more than 12 years. The levy
13	may be extended only by approval by an extraordinary majority
14	vote, of the county governing authority or by a majority of
15	the electors of the county voting in a referendum on the
16	surtax.
17	(g) Counties and municipalities may not use the surtax
18	proceeds to supplant or replace user fees or to reduce ad
19	valorem taxes necessary to maintain the level of local law
20	enforcement services existing prior to the levy of the surtax.
21	
22	
23	========= TITLE AMENDMENT==========
24	And the title is amended as follows:
25	On page 1, line 14, after the semicolon
26	
27	insert:
28	providing for the levy of a local law
29	enforcement surtax; providing guidelines and
30	limitations on the levy of the surtax and on
31	the use of proceeds;
	3 7:50 PM 04/26/99 3 h0289c-16m0c