

Bill No. SB 2134

Barcode 032000

CHAMBER ACTION

Senate

House

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The Committee on Community Affairs (Crist) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 2, line 13, through  
page 4, line 7, delete those lines

and insert: agreement, at a minimum, must:

(a) Identify the geographic boundaries of the tax increment finance area;

(b) Identify the real property to be acquired as conservation land within the tax increment finance area;

(c) Establish the percentage of tax increment financing for each jurisdiction in the tax increment area;

(d) Identify the governing body of the jurisdiction that will administer a separate reserve account in which the tax increment will be deposited;

(e) Require that any tax increment revenues not used to purchase conservation lands by a date certain be refunded to the parties to the interlocal agreement. Any refund shall be proportionate to the parties' payment of tax increment

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1 revenues into the separate reserve account;

2 (f) Provide for an annual audit of the separate  
3 reserve account;

4 (g) Designate an entity to hold title to any  
5 conservation lands purchased using the tax increment revenues;

6 (h) Provide for a continuing management plan for the  
7 conservation lands; and

8 (i) Identify the entity that will manage these  
9 conservation lands.

10 (2) The water management district in which  
11 conservation lands proposed for purchase under this section  
12 are located may also enter into the interlocal agreement with  
13 two or more municipalities or counties if the district  
14 provides any funds for the purchase of the conservation lands.

15 (3) Prior to the purchase of conservation lands under  
16 this section, the Department of Environmental Protection must  
17 approve the purchase as sufficient to provide additional  
18 recreational and ecotourism opportunities for the entities  
19 that are parties to the interlocal agreement. In addition, the  
20 Department of Community Affairs must agree, prior to a  
21 purchase of conservation lands using funds under this section,  
22 that the purchase serves a public purpose.

23 (a) The parties to the interlocal agreement shall  
24 request a letter of approval from both departments pursuant to  
25 this subsection before any purchase of lands under this  
26 section.

27 (b) If either department fails to provide a letter of  
28 approval within 30 days after receipt of the request for such  
29 a letter, the purchase is deemed sufficient to provide  
30 recreation and ecotourism opportunities and to serve a public  
31 purpose in that the property within the tax increment finance

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1 area will benefit from the purchase of the conservation lands,  
2 as appropriate.

3 (4) The tax increment authorized under this section  
4 shall be determined annually and may not exceed 50 percent of  
5 the difference in ad valorem taxes as provided in s. 163.387,  
6 Florida Statutes.

7 (5) A separate reserve account must be established for  
8 each tax increment finance area for conservation lands which  
9 is created under this section. The separate reserve account  
10 must be administered pursuant to the terms of the interlocal  
11 agreement. Tax increment funds allocated to this separate  
12 reserve account shall be used to acquire the real property  
13 identified for purchase in the interlocal agreement. Pursuant  
14 to the interlocal agreement, the governing body of the local  
15 government that will administer the separate reserve account  
16 may spend increment revenues to purchase the real property  
17 only if all parties to the interlocal agreement adopt a  
18 resolution approving the purchase price.

19 (6) The annual funding of the separate reserve account  
20 may not be less than the increment income of each taxing  
21 authority which is held as provided in the interlocal  
22 agreement for the purchase of conservation lands.

23 (7) Unless otherwise provided in the interlocal  
24 agreement, a taxing authority that does not pay the tax  
25 increment revenues to the separate reserve account by January  
26 1 shall pay interest on the amount of unpaid increment  
27 revenues equal to 1 percent for each month that the increment  
28 revenue remains outstanding.

29 (8) The public bodies and taxing authorities listed in  
30 s. 163.387(2)(c), Florida Statutes, and special districts that  
31 levy ad valorem taxes within a tax increment financing area

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1 are exempt from the provisions of this section.

2 (9) Revenue bonds under this section are payable  
3 solely out of revenues pledged to and received by the local  
4 government administering the separate reserve account and  
5 deposited into the separate reserve account. The revenue bonds  
6 issued under this section do not constitute a debt, liability,  
7 or obligation of a public body, the state, or any of the  
8 state's political subdivisions.

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11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 On page 1, line 10 through page 2, line 2, delete those  
14 lines,

15

16 and insert:

17 requiring the establishment of a separate  
18 reserve account for each tax increment finance  
19 area; providing for a refund; requiring an  
20 annual audit of the separate reserve account;  
21 providing for the administration of the  
22 separate reserve account; providing that the  
23 governmental body that administers the separate  
24 reserve account may spend revenues from the tax  
25 increment to purchase real property only if all  
26 parties to the interlocal agreement adopt a  
27 resolution that approves the purchase price;  
28 providing that a water management district may  
29 be a party to the interlocal agreement;  
30 requiring certain approvals from the Department  
31 of Environmental Protection and the Department

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1 of Community Affairs; providing a comparative  
2 standard on which the minimum annual funding of  
3 the separate reserve account must be based;  
4 requiring a taxing authority that does not pay  
5 tax increment revenues to the separate reserve  
6 account before a specified date to pay a  
7 specified amount of interest on the amount of  
8 unpaid increment revenues; providing exemptions  
9 for certain public bodies, taxing authorities,  
10 and special districts; providing that revenue  
11 bonds may be paid only from revenues deposited  
12 into the separate reserve account; providing  
13 that such revenue bonds are not a debt,  
14 liability, or obligation of the state or any  
15 public body; providing

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