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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/24/2008	.	
	.	
	.	

1 The Committee on Transportation and Economic Development
2 Appropriations (Fasano) recommended the following **amendment:**

3
4 **Senate Amendment (with title amendment)**

5 Delete lines 473-586

6 and insert:

7 Section 5. Paragraph (c) is added to subsection (2) of
8 section 163.3182, Florida Statutes, and paragraph (d) of
9 subsection (3), paragraph (a) of subsection (4), and subsections
10 (5) and (8) of that section are amended, to read:

11 163.3182 Transportation concurrency backlogs.--

12 (2) CREATION OF TRANSPORTATION CONCURRENCY BACKLOG
13 AUTHORITIES.--

14 (c) The Legislature finds and declares that there exists in
15 many counties and municipalities areas with significant
16 transportation deficiencies and inadequate transportation
17 facilities; that many such insufficiencies and inadequacies



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18 severely limit or prohibit the satisfaction of transportation
19 concurrency standards; that such transportation insufficiencies
20 and inadequacies affect the health, safety, and welfare of the
21 residents of such counties and municipalities; that such
22 transportation insufficiencies and inadequacies adversely affect
23 economic development and growth of the tax base for the areas in
24 which such insufficiencies and inadequacies exist; and that the
25 elimination of transportation deficiencies and inadequacies and
26 the satisfaction of transportation concurrency standards are
27 paramount public purposes for the state and its counties and
28 municipalities.

29 (3) POWERS OF A TRANSPORTATION CONCURRENCY BACKLOG
30 AUTHORITY.--Each transportation concurrency backlog authority has
31 the powers necessary or convenient to carry out the purposes of
32 this section, including the following powers in addition to
33 others granted in this section:

34 (d) To borrow money, including, but not limited to, issuing
35 debt obligations, such as, but not limited to, bonds, notes,
36 certificates, and similar debt instruments; to apply for and
37 accept advances, loans, grants, contributions, and any other
38 forms of financial assistance from the Federal Government or the
39 state, county, or any other public body or from any sources,
40 public or private, for the purposes of this part; to give such
41 security as may be required; to enter into and carry out
42 contracts or agreements; and to include in any contracts for
43 financial assistance with the Federal Government for or with
44 respect to a transportation concurrency backlog project and
45 related activities such conditions imposed pursuant to federal
46 laws as the transportation concurrency backlog authority



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47 | considers reasonable and appropriate and which are not
48 | inconsistent with the purposes of this section.

49 | (4) TRANSPORTATION CONCURRENCY BACKLOG PLANS.--

50 | (a) Each transportation concurrency backlog authority shall
51 | adopt a transportation concurrency backlog plan as a part of the
52 | local government comprehensive plan within 6 months after the
53 | creation of the authority. The plan shall:

54 | 1. Identify all transportation facilities that have been
55 | designated as deficient and require the expenditure of moneys to
56 | upgrade, modify, or mitigate the deficiency.

57 | 2. Include a priority listing of all transportation
58 | facilities that have been designated as deficient and do not
59 | satisfy concurrency requirements pursuant to s. 163.3180, and the
60 | applicable local government comprehensive plan.

61 | 3. Establish a schedule for financing and construction of
62 | transportation concurrency backlog projects that will eliminate
63 | transportation concurrency backlogs within the jurisdiction of
64 | the authority within 10 years after the transportation
65 | concurrency backlog plan adoption. The schedule shall be adopted
66 | as part of the local government comprehensive plan.

67 | Notwithstanding such schedule requirements, as long as the
68 | schedule provides for the elimination of all transportation
69 | concurrency backlogs within 10 years after the adoption of the
70 | concurrency backlog plan, the final maturity date of any debt
71 | incurred to finance or refinance the related projects may be no
72 | later than 40 years after the date such debt is incurred and the
73 | authority may continue operations and administer the trust fund
74 | established as provided in subsection (5) for as long as such
75 | debt remains outstanding.



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76 (5) ESTABLISHMENT OF LOCAL TRUST FUND.--The transportation
77 concurrency backlog authority shall establish a local
78 transportation concurrency backlog trust fund upon creation of
79 the authority. Each local trust fund shall be administered by the
80 transportation concurrency backlog authority within which a
81 transportation concurrency backlog has been identified. Each
82 local trust fund shall continue to be funded pursuant to this
83 section for as long as the projects set forth in the related
84 transportation concurrency backlog plan remain to be completed or
85 until any debt incurred to finance or refinance the related
86 projects are no longer outstanding, whichever occurs later.

87 Beginning in the first fiscal year after the creation of the
88 authority, each local trust fund shall be funded by the proceeds
89 of an ad valorem tax increment collected within each
90 transportation concurrency backlog area to be determined annually
91 and shall be a minimum of 25 percent of the difference between
92 the amounts set forth in paragraphs (a) and (b), except that if
93 all of the affected taxing authorities agree pursuant to an
94 interlocal agreement, a particular local trust fund may be funded
95 by the proceeds of an ad valorem tax increment greater than 25
96 percent of the difference between the amounts set forth in
97 paragraphs (a) and (b):

98 (a) The amount of ad valorem tax levied each year by each
99 taxing authority, exclusive of any amount from any debt service
100 millage, on taxable real property contained within the
101 jurisdiction of the transportation concurrency backlog authority
102 and within the transportation backlog area; and

103 (b) The amount of ad valorem taxes which would have been
104 produced by the rate upon which the tax is levied each year by or
105 for each taxing authority, exclusive of any debt service millage,



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106 upon the total of the assessed value of the taxable real property
107 within the transportation concurrency backlog area as shown on
108 the most recent assessment roll used in connection with the
109 taxation of such property of each taxing authority prior to the
110 effective date of the ordinance funding the trust fund.

111 (8) DISSOLUTION.--Upon completion of all transportation
112 concurrency backlog projects and repayment or defeasance of all
113 debt issued to finance or refinance such projects, a
114 transportation concurrency backlog authority shall be dissolved,
115 and its assets and liabilities shall be transferred to the county
116 or municipality within which the authority is located. All
117 remaining assets of the authority must be used for implementation
118 of transportation projects within the jurisdiction of the
119 authority. The local government comprehensive plan shall be
120 amended to remove the transportation concurrency backlog plan.

121
122 ===== T I T L E A M E N D M E N T =====

123 And the title is amended as follows:

124 Delete lines 12-25

125 and insert:

126 of the plan; amending s. 163.3182, F.S., relating to
127 transportation concurrency backlog authorities;
128 providing legislative findings and declarations;
129 expanding the power of authorities to borrow money to
130 include issuing certain debt obligations; providing a
131 maximum maturity date for certain debt incurred to
132 finance or refinance certain transportation concurrency
133 backlog projects; authorizing authorities to continue
134 operations and administer certain trust funds for the
135 period of the remaining outstanding debt; requiring



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136 | local transportation concurrency backlog trust funds to
137 | continue to be funded for certain purposes; providing
138 | for increased ad valorem tax increment funding for such
139 | trust funds under certain circumstances; revising
140 | provisions for dissolution of an authority; amending s.