

By Senator Dean

5-00218F-15

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1 A bill to be entitled
2 An act relating to the implementation of the water and
3 land conservation constitutional amendment; amending
4 s. 201.15, F.S.; revising and deleting distributions
5 of the tax; providing that specified distributions to
6 the Land Acquisition Trust Fund are not subject to the
7 service charge under s. 215.20, F.S.; revising the
8 purposes for which distributions may be used;
9 repealing s. 161.05301, F.S., relating to beach
10 erosion control project staffing; repealing s.
11 161.091(3), F.S., relating to funding for the state's
12 beach management plan; repealing s. 375.045, F.S.,
13 relating to the Florida Preservation 2000 Trust Fund;
14 amending s. 375.075, F.S.; requiring specified public
15 recreation projects to have been selected through the
16 Department of Environmental Protection's competitive
17 selection process prior to the release of funds;
18 conforming provisions to changes made by the act;
19 amending ss. 201.0205, 215.618, 215.619, 259.032,
20 259.1051, 339.0801, 339.55, 341.303, 343.58, 369.252,
21 379.214, 379.362, 403.8911, 420.5092, and 420.9073,
22 F.S.; conforming provisions to changes made by the
23 act; reenacting ss. 201.031(2), 339.2818(6),
24 339.2819(5), 339.61(3), 341.051(6), 373.470(4)(e), and
25 420.9079(1), F.S., to incorporate the amendment made
26 by this act to s. 201.15, F.S., in references thereto;
27 providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

5-00218F-15

2015586__

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

5-00218F-15

2015586__

59 (2) From taxes remaining after the payments required
60 pursuant to subsection (1), an amount equal to 33 percent of all
61 taxes collected after first deducting the costs of collection,
62 minus amounts paid pursuant to subsection (1), shall be
63 deposited in the Land Acquisition Trust Fund.

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

67 (a) Payment of ~~Amounts necessary to pay the debt service~~
68 ~~on, or funding of fund~~ debt service reserve funds, rebate
69 obligations, or other amounts payable with respect to
70 ~~Preservation 2000 bonds issued pursuant to s. 375.051 and~~
71 ~~Florida Forever bonds issued pursuant to s. 215.618, shall be~~
72 ~~paid into the State Treasury to the credit of the Land~~
73 ~~Acquisition Trust Fund to be used for such purposes. The amount~~
74 ~~used for such purposes transferred to the Land Acquisition Trust~~
75 ~~Fund may not exceed \$300 million in each fiscal year 1999-2000~~
76 ~~and thereafter for Preservation 2000 bonds and bonds issued to~~
77 ~~refund Preservation 2000 bonds, and \$300 million in fiscal year~~
78 ~~2000-2001 and thereafter for Florida Forever bonds. The annual~~
79 ~~amount transferred to the Land Acquisition Trust Fund for~~
80 ~~Florida Forever bonds may not exceed \$30 million in the first~~
81 ~~fiscal year in which bonds are issued. The limitation on the~~
82 ~~amount transferred shall be increased by an additional \$30~~
83 ~~million in each subsequent fiscal year, but may not exceed a~~
84 ~~total of \$300 million in any fiscal year for all bonds issued.~~
85 It is the intent of the Legislature that all bonds issued to
86 fund the Florida Forever Act be retired by December 31, 2040.
87 Except for bonds issued to refund previously issued bonds, no

5-00218F-15

2015586__

88 series of bonds may be issued pursuant to this paragraph unless
89 such bonds are approved and the debt service for the remainder
90 of the fiscal year in which the bonds are issued is specifically
91 appropriated in the General Appropriations Act. ~~For purposes of~~
92 ~~refunding Preservation 2000 bonds, amounts designated within~~
93 ~~this section for Preservation 2000 and Florida Forever bonds may~~
94 ~~be transferred between the two programs to the extent provided~~
95 ~~for in the documents authorizing the issuance of the bonds. The~~
96 ~~Preservation 2000 bonds and Florida Forever bonds are equally~~
97 ~~and ratably secured by moneys distributable to the Land~~
98 ~~Acquisition Trust Fund pursuant to this section, except as~~
99 ~~specifically provided otherwise by the documents authorizing the~~
100 ~~issuance of the bonds. Moneys transferred to the Land~~
101 ~~Acquisition Trust Fund pursuant to this paragraph, or earnings~~
102 ~~thereon, may not be used or made available to pay debt service~~
103 ~~on the Save Our Coast revenue bonds.~~

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

113
114 Bonds issued pursuant to s. 215.618 or s. 215.619 are equally
115 and ratably secured by moneys distributable to the Land
116 Acquisition Trust Fund.

5-00218F-15

2015586__

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

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

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

140 2.b. For the purposes of The Small County Outreach Program
141 specified in s. 339.2818, in the amount of 10 ~~5~~ percent of the
142 these funds. Effective July 1, 2014, the percentage allocated
143 under this sub-subparagraph shall be increased to 10 percent;

144 3.e. For the purposes of The Strategic Intermodal System
145 specified in ss. 339.61, 339.62, 339.63, and 339.64, in the

5-00218F-15

2015586__

146 amount of 75 percent of the these funds after deduction of the
147 payments required pursuant to subparagraphs 1. and 2. allocating
148 for the New Starts Transit Program described in sub-subparagraph
149 a. and the Small County Outreach Program described in sub-
150 subparagraph b.; and

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

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

167 3. The Ecosystem Management and Restoration Trust Fund in
168 the amount of the lesser of 2.12 percent of the remainder or \$30
169 million in each fiscal year, to be used for the preservation and
170 repair of the state's beaches as provided in ss. 161.091-
171 161.212.

172 4. General Inspection Trust Fund in the amount of the
173 lesser of .02 percent of the remainder or \$300,000 in each
174 fiscal year to be used to fund oyster management and restoration

5-00218F-15

2015586__

175 ~~programs as provided in s. 379.362(3).~~

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

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

185 ~~(2) The lesser of 7.56 percent of the remaining taxes or~~
186 ~~\$84.9 million in each fiscal year shall be distributed as~~
187 ~~follows:~~

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

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

196 ~~(3) (a) The lesser of 1.94 percent of the remaining taxes or~~
197 ~~\$26 million in each fiscal year shall be distributed in the~~
198 ~~following order:~~

199 ~~1. Amounts necessary to pay debt service or to fund debt~~
200 ~~service reserve funds, rebate obligations, or other amounts~~
201 ~~payable with respect to bonds issued before February 1, 2009,~~
202 ~~pursuant to this subsection shall be paid into the State~~
203 ~~Treasury to the credit of the Land Acquisition Trust Fund.~~

5-00218F-15

2015586__

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

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

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

213 ~~(4) The lesser of 4.2 percent of the remaining taxes or~~
214 ~~\$60.5 million in each fiscal year shall be paid into the State~~
215 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~
216 ~~Sums deposited in that fund may be used for any purpose~~
217 ~~authorized in s. 373.59. An amount equal to the amounts~~
218 ~~necessary to pay debt service or to fund debt service reserve~~
219 ~~funds, rebate obligations, or other amounts payable with respect~~
220 ~~to bonds authorized pursuant to s. 215.619(1)(a)2. and the~~
221 ~~proviso associated with Specific Appropriation 1626A of the~~
222 ~~2014-2015 General Appropriations Act shall be transferred~~
223 ~~annually from the Water Management Lands Trust Fund to the~~
224 ~~General Revenue Fund.~~

225 ~~(5) Of the remaining taxes, 3.52 percent shall be paid into~~
226 ~~the State Treasury to the credit of the Conservation and~~
227 ~~Recreation Lands Trust Fund to carry out the purposes set forth~~
228 ~~in s. 259.032. Eleven and fifteen hundredths percent of the~~
229 ~~amount credited to the Conservation and Recreation Lands Trust~~
230 ~~Fund pursuant to this subsection shall be transferred to the~~
231 ~~State Game Trust Fund and used for land management activities.~~

232 ~~(6) The lesser of 2.28 percent of the remaining taxes or~~

5-00218F-15

2015586__

233 ~~\$34.1 million in each fiscal year shall be paid into the State~~
234 ~~Treasury to the credit of the Invasive Plant Control Trust Fund~~
235 ~~to carry out the purposes set forth in ss. 369.22 and 369.252.~~

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

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

5-00218F-15

2015586__

262 ~~from the distribution of taxes collected under this chapter to~~
263 ~~address water quality impacts associated with nonagricultural~~
264 ~~nonpoint sources must be excluded when calculating the~~
265 ~~unobligated balance of the Water Quality Assurance Trust Fund as~~
266 ~~it relates to the determination of the applicable excise tax~~
267 ~~rate.~~

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

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

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

284 (d) ~~(10)~~ Eight and sixty-six hundredths percent of the
285 remainder ~~remaining taxes~~ in each fiscal year shall be paid into
286 the State Treasury to the credit of the State Housing Trust
287 Fund. ~~Out~~ Of such funds, ~~beginning in the 2012-2013 fiscal year,~~
288 the first \$40 million shall be transferred annually, subject to
289 any distribution required pursuant to ~~under~~ subsection (5) ~~(15)~~,
290 to the State Economic Enhancement and Development Trust Fund

5-00218F-15

2015586__

291 within the Department of Economic Opportunity. The remainder
292 shall be used as follows:

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

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

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

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

315 ~~(12) Amounts distributed pursuant to subsections (5), (6),~~
316 ~~(7), and (8) are subject to the payment of debt service on~~
317 ~~outstanding Conservation and Recreation Lands revenue bonds.~~

318 ~~(13) In each fiscal year that the remaining taxes exceed~~
319 ~~collections in the prior fiscal year, the stated maximum dollar~~

5-00218F-15

2015586__

320 amounts provided in subsections ~~(2), (4), (6), and (7)~~ shall
321 each be increased by an amount equal to 10 percent of the
322 increase in the remaining taxes collected under this chapter
323 multiplied by the applicable percentage provided in those
324 subsections.

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

332 (5) ~~(15)~~ Distributions to the State Housing Trust Fund
333 pursuant to paragraphs (4) (c) and (d) ~~subsections (9) and (10)~~
334 must be sufficient to cover amounts required to be transferred
335 to the Florida Affordable Housing Guarantee Program's annual
336 debt service reserve and guarantee fund pursuant to s.
337 420.5092(6) (a) and (b) up to the amount required to be
338 transferred to such reserve and fund based on the percentage
339 distribution of documentary stamp tax revenues to the State
340 Housing Trust Fund which is in effect in the 2004-2005 fiscal
341 year.

342 ~~(16) If amounts necessary to pay debt service or any other~~
343 ~~amounts payable with respect to Preservation 2000 bonds, Florida~~
344 ~~Forever bonds, or Everglades Restoration bonds authorized before~~
345 ~~January 1, 2015, exceed the amounts distributable pursuant to~~
346 ~~subsection (1), all moneys distributable pursuant to this~~
347 ~~section are available for such obligations and transferred in~~
348 ~~the amounts necessary to pay such obligations when due. However,~~

5-00218F-15

2015586__

349 ~~amounts distributable pursuant to subsection (2), subsection~~
350 ~~(3), subsection (4), subsection (5), paragraph (9) (a), or~~
351 ~~paragraph (10) (a) are not available to pay such obligations to~~
352 ~~the extent that such moneys are necessary to pay debt service on~~
353 ~~bonds secured by revenues pursuant to those provisions.~~

354 (6) ~~(17)~~ After the distributions provided in the preceding
355 subsections, any remaining taxes shall be paid into the State
356 Treasury to the credit of the General Revenue Fund.

357 Section 2. Section 161.05301, Florida Statutes, is
358 repealed.

359 Section 3. Subsection (3) of section 161.091, Florida
360 Statutes, is repealed.

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

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

364 375.075 Outdoor recreation; financial assistance to local
365 governments.-

366 (1) The Department of Environmental Protection may ~~is~~
367 ~~authorized to~~ establish the Florida Recreation Development
368 Assistance Program to provide grants to qualified local
369 governmental entities to acquire or develop land for public
370 outdoor recreation purposes. ~~To the extent not needed for debt~~
371 ~~service on bonds issued pursuant to s. 375.051, each year~~ The
372 department shall annually develop and plan a program ~~which shall~~
373 ~~be based upon funding of not less than 5 percent of the money~~
374 ~~credited to the Land Acquisition Trust Fund pursuant to s.~~
375 ~~201.15(2) and (3) in that year. The department shall develop and~~
376 ~~plan a program which shall be based upon~~ the cumulative total
377 funding provided from this section and from the Florida Forever

5-00218F-15

2015586__

378 Trust Fund pursuant to s. 259.105(3)(d).

379 (2)

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

386 Section 6. Section 201.0205, Florida Statutes, is amended
 387 to read:

388 201.0205 Counties that have implemented ch. 83-220;
 389 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,
 390 Laws of Florida.—The 10-cent tax increase in the documentary
 391 stamp tax levied by s. 2, chapter 92-317, does not apply to
 392 deeds and other taxable instruments relating to real property
 393 located in any county that has implemented the provisions of
 394 chapter 83-220, Laws of Florida, as amended by chapters 84-270,
 395 86-152, and 89-252, Laws of Florida. Each such county and each
 396 eligible jurisdiction within such county may ~~shall~~ not be
 397 ~~eligible to~~ participate in programs funded pursuant to s.
 398 201.15(4)(c) ~~s. 201.15(9)~~. However, each such county and each
 399 eligible jurisdiction within such county may ~~shall be eligible~~
 400 ~~to~~ participate in programs funded pursuant to s. 201.15(4)(d) ~~s.~~
 401 ~~201.15(10)~~.

402 Section 7. Paragraph (a) of subsection (1) and subsection
 403 (3) of section 215.618, Florida Statutes, are amended to read:

404 215.618 Bonds for acquisition and improvement of land,
 405 water areas, and related property interests and resources.—

406 (1)(a) The issuance of Florida Forever bonds, not to exceed

5-00218F-15

2015586__

407 \$5.3 billion, to finance or refinance the cost of acquisition
 408 and improvement of land, water areas, and related property
 409 interests and resources, in urban and rural settings, for the
 410 purposes of restoration, conservation, recreation, water
 411 resource development, or historical preservation, and for
 412 capital improvements to lands and water areas that accomplish
 413 environmental restoration, enhance public access and
 414 recreational enjoyment, promote long-term management goals, and
 415 facilitate water resource development is hereby authorized,
 416 subject to ~~the provisions of~~ s. 259.105 and pursuant to s.
 417 11(e), Art. VII of the State Constitution. ~~Florida Forever bonds~~
 418 ~~may also be issued to refund Preservation 2000 bonds issued~~
 419 ~~pursuant to s. 375.051. The \$5.3 billion limitation on the~~
 420 ~~issuance of Florida Forever bonds does not apply to refunding~~
 421 ~~bonds. The duration of each series of Florida Forever bonds~~
 422 ~~issued may not exceed 20 annual maturities. Preservation 2000~~
 423 ~~bonds and Florida Forever bonds shall be equally and ratably~~
 424 ~~secured by moneys distributable to the Land Acquisition Trust~~
 425 ~~Fund pursuant to s. 201.15(1)(a), except to the extent~~
 426 ~~specifically provided otherwise by the documents authorizing the~~
 427 ~~issuance of the bonds.~~

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

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

435 215.619 Bonds for Everglades restoration.—

5-00218F-15

2015586__

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

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

451 Section 9. Paragraph (a) of subsection (2) of section
 452 259.032, Florida Statutes, is amended to read:

453 259.032 Conservation and Recreation Lands Trust Fund;
 454 purpose.—

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

461 ~~1. The excise taxes on documents as provided in s. 201.15;~~
 462 and

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

5-00218F-15

2015586__

465

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

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

470 259.1051 Florida Forever Trust Fund.—

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

484 (3) The department ~~of Environmental Protection~~ shall ensure
485 that the proceeds from the sale of bonds issued pursuant to
486 ~~under~~ s. 215.618 and payable from moneys transferred to the Land
487 Acquisition Trust Fund pursuant to ~~under~~ s. 201.15(1)(~~a~~) are
488 ~~shall be~~ administered and expended in a manner that ensures
489 compliance of each issue of bonds that are issued on the basis
490 that interest thereon will be excluded from gross income for
491 federal income tax purposes, with the applicable provisions of
492 the United States Internal Revenue Code and the regulations
493 adopted ~~promulgated~~ thereunder, to the extent necessary to

5-00218F-15

2015586__

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

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

506 339.0801 Allocation of increased revenues derived from
 507 amendments to s. 319.32(5) (a) by ch. 2012-128.—Funds that result
 508 from increased revenues to the State Transportation Trust Fund
 509 derived from the amendments to s. 319.32(5) (a) made by this act
 510 must be used annually, first as set forth in subsection (1) and
 511 then as set forth in subsections (2)-(5), notwithstanding any
 512 other provision of law:

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

518 Section 12. Subsection (9) of section 339.55, Florida
 519 Statutes, is amended to read:

520 339.55 State-funded infrastructure bank.—

521 (9) Funds paid into the State Transportation Trust Fund
 522 pursuant to s. 201.15 ~~s. 201.15(1)(e)~~ for the purposes of the

5-00218F-15

2015586__

523 State Infrastructure Bank are ~~hereby~~ annually appropriated for
524 expenditure to support that program.

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

527 341.303 Funding authorization and appropriations;
528 eligibility and participation.—

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

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

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

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

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

545 ~~(d) The department, through the Florida Rail Enterprise, is~~
546 ~~authorized to use funds provided under s. 201.15(1)(c)1.d. to~~
547 ~~fund~~ Projects necessary to identify or address anticipated
548 impacts of increased freight rail traffic resulting from the
549 implementation of passenger rail systems as provided in s.
550 341.302(3)(b).

551 Section 14. Paragraph (b) of subsection (4) of section

5-00218F-15

2015586__

552 343.58, Florida Statutes, is amended to read:

553 343.58 County funding for the South Florida Regional
554 Transportation Authority.—

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

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

564 Section 15. Section 369.252, Florida Statutes, is amended
565 to read:

566 369.252 Invasive plant control on public lands.—The Fish
567 and Wildlife Conservation Commission shall establish a program
568 that will accomplish all of the following ~~to~~:

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

575 (2) Assist state and local government agencies in the
576 development and implementation of coordinated management plans
577 for the eradication or maintenance control of invasive exotic
578 plant species on public lands. †

579 (3) Contract, or enter into agreements, with entities in
580 the State University System or other governmental or private

5-00218F-15

2015586__

581 sector entities for research concerning control agents;
582 production and growth of biological control agents; and
583 development of workable methods for the eradication or
584 maintenance control of invasive exotic plants on public lands.†
585 ~~and~~

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

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

595 379.214 Invasive Plant Control Trust Fund.—

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

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

601 379.362 Wholesale and retail saltwater products dealers;
602 regulation.—

603 (3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The
604 Department of Agriculture and Consumer Services shall ~~use or~~
605 ~~distribute funds paid into the State Treasury to the credit of~~
606 ~~the General Inspection Trust Fund pursuant to s. 201.15, less~~
607 ~~reasonable costs of administration, to~~ fund the following oyster
608 management and restoration programs in Apalachicola Bay and
609 other oyster harvest areas in the state:

5-00218F-15

2015586__

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

611 (b) Shell planting to construct or rehabilitate oyster
612 bars.

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

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

619 Section 18. Section 403.8911, Florida Statutes, is amended
620 to read:

621 403.8911 Annual appropriation from the Water Protection and
622 Sustainability Program Trust Fund.—

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

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

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

635 420.5092 Florida Affordable Housing Guarantee Program.—

636 (5) Pursuant to s. 16, Art. VII of the State Constitution,
637 the corporation may issue, in accordance with s. 420.509,
638 revenue bonds of the corporation to establish the guarantee

5-00218F-15

2015586__

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

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

5-00218F-15

2015586__

668 the Chief Financial Officer the amount of any projected
669 deficiency in the annual debt service reserve for any series of
670 outstanding bonds as of the end of the state fiscal year and the
671 amount necessary to maintain such annual debt service reserve.
672 Upon receipt of such certification, the Chief Financial Officer
673 shall transfer to the annual debt service reserve, from the
674 first available taxes distributed to the State Housing Trust
675 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
676 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
677 certified as necessary to maintain the annual debt service
678 reserve.

679 (b) If the claims payment obligations under affordable
680 housing guarantees from amounts on deposit in the guarantee fund
681 would cause the claims paying rating assigned to the guarantee
682 fund to be less than the third-highest rating classification of
683 any nationally recognized rating service, which classifications
684 being consistent with s. 215.84(3) and rules adopted thereto by
685 the State Board of Administration, the corporation shall certify
686 to the Chief Financial Officer the amount of such claims payment
687 obligations. Upon receipt of such certification, the Chief
688 Financial Officer shall transfer to the guarantee fund, from the
689 first available taxes distributed to the State Housing Trust
690 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
691 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
692 certified as necessary to meet such obligations, such transfer
693 to be subordinate to any transfer referenced in paragraph (a)
694 and not to exceed 50 percent of the amounts distributed to the
695 State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s.~~
696 ~~201.15(9)(a) and (10)(a)~~ during the preceding state fiscal year.

5-00218F-15

2015586__

697 Section 20. Subsections (1), (2), and (3) of section
698 420.9073, Florida Statutes, are amended to read:

699 420.9073 Local housing distributions.-

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

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

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

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

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

723 3. For each county in which the result in subparagraph 1.
724 is greater than the guaranteed amount as determined in
725 subsection (3), the amount calculated in subparagraph 1. shall

5-00218F-15

2015586__

726 be reduced by the guaranteed amount. The result for each such
727 county shall be expressed as a percentage of the amounts so
728 determined for all counties. Each such county shall receive an
729 additional share equal to such percentage multiplied by the
730 total funds received by the Local Government Housing Trust Fund
731 pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ reduced by the
732 guaranteed amount paid to all counties.

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

740 (a) Each county shall receive the guaranteed amount for
741 each fiscal year.

742 (b) Each county may receive an additional share calculated
743 as follows:

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

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

749 3. For each county in which the result in subparagraph 1.
750 is greater than the guaranteed amount, the amount calculated in
751 subparagraph 1. shall be reduced by the guaranteed amount. The
752 result for each such county shall be expressed as a percentage
753 of the amounts so determined for all counties. Each such county
754 shall receive an additional share equal to this percentage

5-00218F-15

2015586__

755 multiplied by the total funds received by the Local Government
756 Housing Trust Fund pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ as
757 reduced by the guaranteed amount paid to all counties.

758 (3) Calculation of guaranteed amounts:

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

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

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

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