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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/11/2018	.	
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The Committee on Rules (Hutson) recommended the following:

Senate Amendment (with title amendment)

Between lines 84 and 85
insert:

Section 3. Paragraph (c) of subsection (1), paragraph (b) of subsection (5), and paragraph (b) of subsection (8) of section 212.055, Florida Statutes, are amended, and subsection (10) is added to that section, to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales



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12 surtax shall be published in the Florida Statutes as a
13 subsection of this section, irrespective of the duration of the
14 levy. Each enactment shall specify the types of counties
15 authorized to levy; the rate or rates which may be imposed; the
16 maximum length of time the surtax may be imposed, if any; the
17 procedure which must be followed to secure voter approval, if
18 required; the purpose for which the proceeds may be expended;
19 and such other requirements as the Legislature may provide.
20 Taxable transactions and administrative procedures shall be as
21 provided in s. 212.054.

22 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM
23 SURTAX.—

24 (c) The proposal to adopt a discretionary sales surtax as
25 provided in this subsection and to create a trust fund within
26 the county accounts shall be placed on the ballot in accordance
27 with law and must be approved in a referendum held at a general
28 election as set forth in subsection (10) at a time to be set at
29 ~~the discretion of the governing body.~~

30 (5) COUNTY PUBLIC HOSPITAL SURTAX.—Any county as defined in
31 s. 125.011(1) may levy the surtax authorized in this subsection
32 pursuant to an ordinance either approved by extraordinary vote
33 of the county commission or conditioned to take effect only upon
34 approval by a majority vote of the electors of the county voting
35 in a referendum. In a county as defined in s. 125.011(1), for
36 the purposes of this subsection, "county public general
37 hospital" means a general hospital as defined in s. 395.002
38 which is owned, operated, maintained, or governed by the county
39 or its agency, authority, or public health trust.

40 (b) If the ordinance is conditioned on a referendum, the



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41 proposal to adopt the county public hospital surtax shall be
42 placed on the ballot in accordance with subsection (10) ~~law at a~~
43 ~~time to be set at the discretion of the governing body.~~ The
44 referendum question on the ballot shall include a brief general
45 description of the health care services to be funded by the
46 surtax.

47 (8) EMERGENCY FIRE RESCUE SERVICES AND FACILITIES SURTAX.-

48 (b) Upon the adoption of the ordinance, the levy of the
49 surtax must be placed on the ballot by the governing authority
50 of the county enacting the ordinance. The ordinance will take
51 effect if approved by a majority of the electors of the county
52 voting in a referendum held for such purpose. The referendum
53 shall be placed on the ballot of a general ~~regularly scheduled~~
54 election. The ballot for the referendum must conform to the
55 requirements of s. 101.161.

56 (10) DATES FOR REFERENDA.-A referendum to adopt or amend a
57 local government discretionary sales surtax under this section
58 shall be held at a general election, as defined in s. 97.021.

59
60 ===== T I T L E A M E N D M E N T =====

61 And the title is amended as follows:

62 Delete lines 2 - 12

63 and insert:

64 An act relating to elections; amending s. 99.012,
65 F.S.; requiring an officer who qualifies for federal
66 public office to resign from the office he or she
67 presently holds if the terms, or any part thereof, run
68 concurrently; prescribing requirements for the written
69 resignation; providing for an automatic irrevocable



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70 resignation in the event of noncompliance; specifying
71 that a resignation creates a vacancy in office;
72 revising an exception to the resign-to-run law;
73 amending s. 121.121, F.S.; conforming a cross-
74 reference; amending s. 212.055, F.S.; requiring local
75 government discretionary sales surtax referenda to be
76 held at a general election; providing an effective
77 date.