

1 A bill to be entitled
2 An act relating to the charter county and regional
3 transportation system surtax; amending s. 212.055,
4 F.S.; requiring certain counties to use surtax
5 proceeds for specified purposes related to fixed
6 guideway rapid transit systems and bus systems;
7 authorizing the use of surtax proceeds for the
8 purchase of rights-of-way under certain circumstances;
9 authorizing the use of surtax proceeds for refinancing
10 existing bonds; prohibiting the use of such proceeds
11 for certain purposes; providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraph (d) of subsection (1) of section
16 212.055, Florida Statutes, is amended to read:

17 212.055 Discretionary sales surtaxes; legislative intent;
18 authorization and use of proceeds.—It is the legislative intent
19 that any authorization for imposition of a discretionary sales
20 surtax shall be published in the Florida Statutes as a
21 subsection of this section, irrespective of the duration of the
22 levy. Each enactment shall specify the types of counties
23 authorized to levy; the rate or rates which may be imposed; the
24 maximum length of time the surtax may be imposed, if any; the
25 procedure which must be followed to secure voter approval, if

26 required; the purpose for which the proceeds may be expended;
27 and such other requirements as the Legislature may provide.
28 Taxable transactions and administrative procedures shall be as
29 provided in s. 212.054.

30 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM
31 SURTAX.—

32 (d)1. Except as set forth in subparagraph 2., proceeds
33 from the surtax shall be applied to as many or as few of the
34 uses enumerated below in whatever combination the county
35 commission deems appropriate:

36 a.1. Deposited by the county in the trust fund and shall
37 be used for the purposes of development, construction,
38 equipment, maintenance, operation, supportive services,
39 including a countywide bus system, on-demand transportation
40 services, and related costs of a fixed guideway rapid transit
41 system;

42 b.2. Remitted by the governing body of the county to an
43 expressway, transit, or transportation authority created by law
44 to be used, at the discretion of such authority, for the
45 development, construction, operation, or maintenance of roads or
46 bridges in the county, for the operation and maintenance of a
47 bus system, for the operation and maintenance of on-demand
48 transportation services, for the payment of principal and
49 interest on existing bonds issued for the construction of such
50 roads or bridges, and, upon approval by the county commission,

51 such proceeds may be pledged for bonds issued to refinance
52 existing bonds or new bonds issued for the construction of such
53 roads or bridges; and

54 ~~3. Used by the county for the development, construction,~~
55 ~~operation, and maintenance of roads and bridges in the county;~~
56 ~~for the expansion, operation, and maintenance of bus and fixed~~
57 ~~guideway systems; for the expansion, operation, and maintenance~~
58 ~~of on-demand transportation services; and for the payment of~~
59 ~~principal and interest on bonds issued for the construction of~~
60 ~~fixed guideway rapid transit systems, bus systems, roads, or~~
61 ~~bridges; and such proceeds may be pledged by the governing body~~
62 ~~of the county for bonds issued to refinance existing bonds or~~
63 ~~new bonds issued for the construction of such fixed guideway~~
64 ~~rapid transit systems, bus systems, roads, or bridges and no~~
65 ~~more than 25 percent used for nontransit uses; and~~

66 c.4. Used by the county for the planning, development,
67 construction, operation, and maintenance of roads and bridges in
68 the county; for the planning, development, expansion, operation,
69 and maintenance of bus and fixed guideway systems; for the
70 planning, development, construction, expansion, operation, and
71 maintenance of on-demand transportation services; and for the
72 payment of principal and interest on bonds issued for the
73 construction of fixed guideway rapid transit systems, bus
74 systems, roads, or bridges; and such proceeds may be pledged by
75 the governing body of the county for bonds issued to refinance

76 existing bonds or new bonds issued for the construction of such
77 fixed guideway rapid transit systems, bus systems, roads, or
78 bridges and no more than 25 percent used for nontransit uses.
79 Pursuant to an interlocal agreement entered into pursuant to
80 chapter 163, the governing body of the county may distribute
81 proceeds from the tax to a municipality, or an expressway or
82 transportation authority created by law to be expended for the
83 purpose authorized by this paragraph. Any county that has
84 entered into interlocal agreements for distribution of proceeds
85 to one or more municipalities in the county shall revise such
86 interlocal agreements no less than every 5 years in order to
87 include any municipalities that have been created since the
88 prior interlocal agreements were executed.

89 2. To the extent not prohibited by contracts or bond
90 covenants in effect on July 1, 2018, each county as defined in
91 s. 125.011(1) shall use proceeds of the surtax only for the
92 following purposes:

93 a. The planning, design, engineering, or construction of
94 fixed guideway rapid transit systems.

95 b. The acquisition of rights-of-way for fixed guideway
96 rapid transit systems or for the development of dedicated
97 facilities for autonomous vehicles as defined in s. 316.003,
98 provided that the owner of the right-of-way is a willing seller.

99 c. The payment of principal and interest on bonds
100 previously issued related to fixed guideway rapid transit

101 systems or bus systems.

102 d. As security by the governing body of the county to
103 refinance existing bonds or to issue new bonds for the planning,
104 design, engineering, or construction of fixed guideway rapid
105 transit systems or bus systems.

106
107 Proceeds from the surtax may not be used for salaries or other
108 personnel expenses of the county transportation department.

109 Section 2. This act shall take effect July 1, 2018.