

1                                   A bill to be entitled  
 2           An act relating to transportation revenue; amending s.  
 3           215.211, F.S.; removing provisions that eliminate  
 4           imposition of a specified service charge on specified  
 5           income of a revenue nature; reenacting s. 215.20(1), F.S.,  
 6           relating to a service charge appropriated from income of a  
 7           revenue nature deposited in trust funds to provide for  
 8           imposition of the service charge pursuant to changes made  
 9           by the act to s. 215.211, F.S.; amending s. 320.072, F.S.;  
 10          revising the disposition of proceeds collected on the  
 11          initial application for registration of specified motor  
 12          vehicles; providing for deduction of the service charge  
 13          prior to distribution; amending s. 339.135, F.S.;  
 14          providing for effect of revised funding levels on  
 15          department projects; providing an effective date.

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

19           Section 1. Section 215.211, Florida Statutes, is amended  
 20 to read:

21           215.211 Service charge; elimination or reduction for  
 22 specified proceeds.—

23           ~~(1) Notwithstanding the provisions of s. 215.20(1) and~~  
 24 ~~(3), the service charge provided in s. 215.20(1) and (3), which~~  
 25 ~~is deducted from the proceeds of the taxes distributed under ss.~~  
 26 ~~206.606(1), 207.026, 212.0501(6), and 319.32(5), shall be~~  
 27 ~~eliminated beginning July 1, 2000.~~

28           ~~(2) Notwithstanding the provisions of s. 215.20(1) and~~

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29 ~~(3), the service charge provided in s. 215.20(1) and (3), which~~  
 30 ~~is deducted from the proceeds of the taxes distributed under ss.~~  
 31 ~~206.608 and 320.072(4), shall be eliminated beginning July 1,~~  
 32 ~~2001.~~

33 (1)~~(3)~~ Notwithstanding the provisions of s. 215.20(1), the  
 34 service charge provided in s. 215.20(1) may not be deducted from  
 35 the proceeds of the local option fuel tax distributed under s.  
 36 336.025(1) (a).

37 (2)~~(4)~~ From the revenues derived from s. 336.025(1) (a), an  
 38 amount equal to 7 percent of those revenues shall be deposited  
 39 in the State Transportation Trust Fund and used to fund the  
 40 County Incentive Grant Program and the Small County Outreach  
 41 Program. Up to 20 percent of such funds shall be used for the  
 42 purpose of implementing the Small County Outreach Program as  
 43 provided in this act. Notwithstanding any other laws to the  
 44 contrary, the requirements of ss. 339.135, 339.155, and 339.175  
 45 shall not apply to these funds and programs.

46 Section 2. For the purpose of incorporating the amendment  
 47 made by this act to section 215.211, Florida Statutes,  
 48 subsection (1) of section 215.20, Florida Statutes, is reenacted  
 49 to read:

50 215.20 Certain income and certain trust funds to  
 51 contribute to the General Revenue Fund.—

52 (1) A service charge of 8 percent, representing the  
 53 estimated pro rata share of the cost of general government paid  
 54 from the General Revenue Fund, is hereby appropriated from all  
 55 income of a revenue nature deposited in all trust funds except  
 56 those enumerated in s. 215.22. Income of a revenue nature shall

57 | include all earnings received or credited by such trust funds,  
 58 | including the interest or benefit received from the investment  
 59 | of the principal of such trust funds as may be permitted by law.  
 60 | This provision shall be construed in favor of the General  
 61 | Revenue Fund in each instance. All such appropriations shall be  
 62 | deposited in the General Revenue Fund.

63 | Section 3. Subsection (4) of section 320.072, Florida  
 64 | Statutes, is amended to read:

65 | 320.072 Additional fee imposed on certain motor vehicle  
 66 | registration transactions.—

67 | (4) A tax collector or other authorized agent of the  
 68 | department shall promptly remit ~~44.5 percent~~ of all moneys  
 69 | collected pursuant to this section, less any refunds granted  
 70 | pursuant to subsection (3), to the department. After deducting  
 71 | the service charge imposed pursuant to s. 215.20, the department  
 72 | shall deposit 34.5 percent of the remaining funds to be  
 73 | deposited into the State Transportation Trust Fund and 10  
 74 | percent into the Highway Safety Operating Trust Fund. The  
 75 | remaining 55.5 percent shall be deposited into the General  
 76 | Revenue Fund.

77 | Section 4. Paragraph (a) of subsection (4) of section  
 78 | 339.135, Florida Statutes, as amended by chapter 2009-271, Laws  
 79 | of Florida, is amended to read:

80 | 339.135 Work program; legislative budget request;  
 81 | definitions; preparation, adoption, execution, and amendment.—

82 | (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

83 | (a)1. To assure that no district or county is penalized  
 84 | for local efforts to improve the State Highway System, the

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85 department shall, for the purpose of developing a tentative work  
86 program, allocate funds for new construction to the districts,  
87 except for the turnpike enterprise, based on equal parts of  
88 population and motor fuel tax collections. Funds for  
89 resurfacing, bridge repair and rehabilitation, bridge fender  
90 system construction or repair, public transit projects except  
91 public transit block grants as provided in s. 341.052, and other  
92 programs with quantitative needs assessments shall be allocated  
93 based on the results of these assessments. The department may  
94 not transfer any funds allocated to a district under this  
95 paragraph to any other district except as provided in subsection  
96 (7). Funds for public transit block grants shall be allocated to  
97 the districts pursuant to s. 341.052. Funds for the intercity  
98 bus program provided for under s. 5311(f) of the federal  
99 nonurbanized area formula program shall be administered and  
100 allocated directly to eligible bus carriers as defined in s.  
101 341.031(12) at the state level rather than the district. In  
102 order to provide state funding to support the intercity bus  
103 program provided for under provisions of the federal 5311(f)  
104 program, the department shall allocate an amount equal to the  
105 federal share of the 5311(f) program from amounts calculated  
106 pursuant to s. 206.46(3).

107 2. Notwithstanding the provisions of subparagraph 1., the  
108 department shall allocate at least 50 percent of any new  
109 discretionary highway capacity funds to the Florida Strategic  
110 Intermodal System created pursuant to s. 339.61. Any remaining  
111 new discretionary highway capacity funds shall be allocated to  
112 the districts for new construction as provided in subparagraph

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113 1. For the purposes of this subparagraph, the term "new  
 114 discretionary highway capacity funds" means any funds available  
 115 to the department above the prior year funding level for  
 116 capacity improvements, which the department has the discretion  
 117 to allocate to highway projects.

118 3. Notwithstanding subparagraphs ~~subparagraph~~ 1. and 2.  
 119 and ss. 201.15(1)(c)1.a.-d., 206.46(3), 206.608(2), 215.211(2),  
 120 334.044(26), and 339.2819(3), and for the 2009-2010 fiscal years  
 121 2010-2011 through 2014-2015 year only, the department shall  
 122 reduce work program levels to balance the finance plan to the  
 123 revised funding levels resulting from any reduction in the 2010-  
 124 2011 2009-2010 General Appropriations Act and the reinstatement  
 125 of the service charge under s. 215.20(1) which is deducted from  
 126 the proceeds of the taxes distributed under ss. 206.606(1),  
 127 206.608, 207.026, 212.0501(6), 319.32(5), and 320.072(4). This  
 128 subparagraph does not apply to funds provided to the Florida  
 129 Rail Enterprise in fiscal year 2014-2015 for the purposes  
 130 established in s. 341.303(5) expires July 1, 2010.

131 4. For ~~the 2009-2010 fiscal years~~ 2010-2011 through 2014-  
 132 2015 year only, prior to any project or phase thereof being  
 133 deferred, the department's cash balances shall be as provided in  
 134 paragraph (6)(b), and the reductions in subparagraph 3. shall be  
 135 made to financial projects not programmed for contract letting  
 136 as identified with a work program contract class code 8 and the  
 137 box code RV. These reductions shall not negatively impact  
 138 safety, ~~or~~ maintenance, financial projects for the purchase of  
 139 the Central Florida Commuter Rail Corridor, financial projects  
 140 for the Florida Rail Enterprise, or project contingency

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141 percentage levels as of July 1 ~~April 21~~, 2009. ~~This subparagraph~~  
142 ~~expires July 1, 2010.~~

143 5. Notwithstanding subparagraphs 1. and 2. and ss.  
144 206.46(3) and 334.044(26), and for fiscal years 2009-2010  
145 through 2013-2014 only, the department shall annually allocate  
146 up to \$15 million of the first proceeds of the increased  
147 revenues estimated by the November 2009 Revenue Estimating  
148 Conference to be deposited into the State Transportation Trust  
149 Fund to provide for the portion of the transfer of funds  
150 included in s. 343.58(4)(a)1.a. or 2.a., whichever is  
151 applicable. The transfer of funds included in s. 343.58(4) shall  
152 not negatively impact projects included in fiscal years 2009-  
153 2010 through 2013-2014 of the work program as of July 1, 2009,  
154 as amended pursuant to subsection (7). This subparagraph expires  
155 July 1, 2014.

156 Section 5. This act shall take effect July 1, 2010.