

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing PCB: Energy & Utilities
2 Subcommittee

3 Representative Rehwinkel Vasilinda offered the following:
4

5 **Amendment (with title amendment)**

6 Between lines 147 and 148, insert:

7 Section 2. Paragraph (d) of subsection (2) of section
8 212.055, Florida Statutes, is amended to read:

9 212.055 Discretionary sales surtaxes; legislative intent;
10 authorization and use of proceeds.—It is the legislative intent
11 that any authorization for imposition of a discretionary sales
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.

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20 Taxable transactions and administrative procedures shall be as
21 provided in s. 212.054.

22 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

23 (d) The proceeds of the surtax authorized by this
24 subsection and any accrued interest shall be expended by the
25 school district, within the county and municipalities within the
26 county, or, in the case of a negotiated joint county agreement,
27 within another county, to finance, plan, and construct
28 infrastructure; to acquire land for public recreation,
29 conservation, or protection of natural resources; to provide
30 loans, grants, or rebates to residential property owners, with
31 preference given to low-income elders, Florida veterans of the
32 Armed Forces of the United States, and disabled adults, who make
33 energy efficiency improvements to their residential property, if
34 a local government ordinance authorizing such use is approved by
35 referendum; or to finance the closure of county-owned or
36 municipally owned solid waste landfills that have been closed or
37 are required to be closed by order of the Department of
38 Environmental Protection. Any use of the proceeds or interest
39 for purposes of landfill closure before July 1, 1993, is
40 ratified. The proceeds and any interest may not be used for the
41 operational expenses of infrastructure, except that a county
42 that has a population of fewer than 75,000 and that is required
43 to close a landfill may use the proceeds or interest for long-
44 term maintenance costs associated with landfill closure.
45 Counties, as defined in s. 125.011, and charter counties may, in
46 addition, use the proceeds or interest to retire or service
47 indebtedness incurred for bonds issued before July 1, 1987, for

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48 infrastructure purposes, and for bonds subsequently issued to
49 refund such bonds. Any use of the proceeds or interest for
50 purposes of retiring or servicing indebtedness incurred for
51 refunding bonds before July 1, 1999, is ratified.

52 1. For the purposes of this paragraph, the term
53 "infrastructure" means:

54 a. Any fixed capital expenditure or fixed capital outlay
55 associated with the construction, reconstruction, or improvement
56 of public facilities that have a life expectancy of 5 or more
57 years and any related land acquisition, land improvement,
58 design, and engineering costs.

59 b. A fire department vehicle, an emergency medical service
60 vehicle, a sheriff's office vehicle, a police department
61 vehicle, or any other vehicle, and the equipment necessary to
62 outfit the vehicle for its official use or equipment that has a
63 life expectancy of at least 5 years.

64 c. Any expenditure for the construction, lease, or
65 maintenance of, or provision of utilities or security for,
66 facilities, as defined in s. 29.008.

67 d. Any fixed capital expenditure or fixed capital outlay
68 associated with the improvement of private facilities that have
69 a life expectancy of 5 or more years and that the owner agrees
70 to make available for use on a temporary basis as needed by a
71 local government as a public emergency shelter or a staging area
72 for emergency response equipment during an emergency officially
73 declared by the state or by the local government under s.
74 252.38. Such improvements are limited to those necessary to
75 comply with current standards for public emergency evacuation

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76 shelters. The owner must enter into a written contract with the
77 local government providing the improvement funding to make the
78 private facility available to the public for purposes of
79 emergency shelter at no cost to the local government for a
80 minimum of 10 years after completion of the improvement, with
81 the provision that the obligation will transfer to any
82 subsequent owner until the end of the minimum period.

83 e. Any land acquisition expenditure for a residential
84 housing project in which at least 30 percent of the units are
85 affordable to individuals or families whose total annual
86 household income does not exceed 120 percent of the area median
87 income adjusted for household size, if the land is owned by a
88 local government or by a special district that enters into a
89 written agreement with the local government to provide such
90 housing. The local government or special district may enter into
91 a ground lease with a public or private person or entity for
92 nominal or other consideration for the construction of the
93 residential housing project on land acquired pursuant to this
94 sub-subparagraph.

95 2. For the purposes of this paragraph, the term "energy
96 efficiency improvement" means any energy conservation and
97 efficiency measure that reduces consumption through conservation
98 or a more efficient use of electricity, natural gas, propane, or
99 other forms of energy on the property, including, but not
100 limited to, air sealing; installation of insulation;
101 installation of energy-efficient heating, cooling, or
102 ventilation systems; installation of solar panels; building
103 modifications to increase the use of daylight or shade;

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104 replacement of windows; installation of energy controls or
105 energy recovery systems; installation of electric vehicle
106 charging equipment; and installation of efficient lighting
107 equipment.

108 ~~3.2.~~ Notwithstanding any other provision of this
109 subsection, a local government infrastructure surtax imposed or
110 extended after July 1, 1998, may allocate up to 15 percent of
111 the surtax proceeds for deposit in a trust fund within the
112 county's accounts created for the purpose of funding economic
113 development projects having a general public purpose of
114 improving local economies, including the funding of operational
115 costs and incentives related to economic development. The ballot
116 statement must indicate the intention to make an allocation
117 under the authority of this subparagraph.

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122 -----
123 **T I T L E A M E N D M E N T**

124 Remove line 5 and insert:
125 purchases; amending s. 212.055, F.S.; providing for a portion of
126 the proceeds of the local government infrastructure surtax to be
127 used to provide loans, grants, and rebates to residential
128 property owners who make energy efficiency improvements to their
129 residential property, subject to referendum; defining the term
130 "energy efficiency improvement"; amending s.220.08, F.S.;

131 providing
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