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# Finance and Tax Committee

Tuesday, February 7, 2012

3:45 p.m.

404 House Office Building

**ACTION PACKET**

# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

### Summary:

#### Finance & Tax Committee

Tuesday February 07, 2012 03:45 pm

HJR 169	Favorable With Committee Substitute	Yeas: 22	Nays: 0
HB 357	Favorable With Committee Substitute	Yeas: 23	Nays: 0
CS/HB 465	Favorable	Yeas: 23	Nays: 0
HB 547	Unfavorable	Yeas: 12	Nays: 12
CS/HB 801	Favorable With Committee Substitute	Yeas: 23	Nays: 0
HB 1015	Favorable	Yeas: 23	Nays: 0
CS/HB 1343	Favorable	Yeas: 20	Nays: 2
PCB FTC 12-06	Favorable	Yeas: 22	Nays: 0

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM

# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Stephen Precourt (Chair)	X		
Joseph Abruzzo	X		
Larry Ahern	X		
Ben Albritton	X		
Lori Berman	X		
Douglas Broxson	X		
Matthew Caldwell	X		
Fredrick Costello	X		
Jose Diaz	X		
Reggie Fullwood	X		
James Grant	X		
John Julien	X		
Debbie Mayfield	X		
George Moraitis, Jr.	X		
Scott Randolph	X		
Lake Ray	X		
Michelle Rehwinkel Vasilinda	X		
Hazelle Rogers	X		
Patrick Rooney, Jr.	X		
W. Gregory Steube	X		
Perry Thurston, Jr.	X		
Charles Van Zant	X		
Michael Weinstein	X		
Ritch Workman	X		
<b>Totals:</b>	<b>24</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM

# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

### HJR 169 : Additional Homestead Tax Exemption for Seniors

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Larry Ahern	X				
Ben Albritton	X				
Lori Berman	X				
Douglas Broxson	X				
Matthew Caldwell	X				
Fredrick Costello	X				
Jose Diaz	X				
Reggie Fullwood	X				
James Grant			X		
John Julien	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda			X		
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
W. Gregory Steube	X				
Perry Thurston, Jr.	X				
Charles Van Zant	X				
Michael Weinstein	X				
Ritch Workman	X				
Stephen Precourt (Chair)	X				
<b>Total Yeas: 22</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM

# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

### HB 357 : Homestead Exemptions for Seniors

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Larry Ahern	X				
Ben Albritton	X				
Lori Berman	X				
Douglas Broxson	X				
Matthew Caldwell	X				
Fredrick Costello	X				
Jose Diaz	X				
Reggie Fullwood	X				
James Grant	X				
John Julien	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda			X		
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
W. Gregory Steube	X				
Perry Thurston, Jr.	X				
Charles Van Zant	X				
Michael Weinstein	X				
Ritch Workman	X				
Stephen Precourt (Chair)	X				
<b>Total Yeas: 23</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM

# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

CS/HB 465 : District School Board Bonds

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Larry Ahern	X				
Ben Albritton	X				
Lori Berman	X				
Douglas Broxson	X				
Matthew Caldwell	X				
Fredrick Costello	X				
Jose Diaz	X				
Reggie Fullwood	X				
James Grant			X		
John Julien	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
W. Gregory Steube	X				
Perry Thurston, Jr.	X				
Charles Van Zant	X				
Michael Weinstein	X				
Ritch Workman	X				
Stephen Precourt (Chair)	X				
<b>Total Yeas: 23</b>		<b>Total Nays: 0</b>			

### Appearances:

Vern Pickup-Crawford (Lobbyist) - Proponent  
Palm Beach School Districts  
571 Kingsbury Terrace  
Wellington FL 33419  
Phone: 561-644-2439

Iraida Mendez-Cartaya (Lobbyist) - Proponent  
Miami-Dade County Public Schools  
1450 NE 2nd Avenue Room #931  
Miami FL 33132  
Phone: 305-995-1497

Tom Cerra - Proponent  
Greater FL Consortium of School Boards  
9737 NW 41st Street #359  
Doral FL 33178  
Phone: 305-513-9995

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM

# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

HB 547 : Community Redevelopment Agencies

Unfavorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo		X			
Larry Ahern		X			
Ben Albritton	X				
Lori Berman		X			
Douglas Broxson	X				
Matthew Caldwell	X				
Fredrick Costello		X			
Jose Diaz	X				
Reggie Fullwood		X			
James Grant	X				
John Julien		X			
Debbie Mayfield		X			
George Moraitis, Jr.	X				
Scott Randolph		X			
Lake Ray	X				
Michelle Rehwinkel Vasilinda		X			
Hazelle Rogers		X			
Patrick Rooney, Jr.	X				
W. Gregory Steube	X				
Perry Thurston, Jr.		X			
Charles Van Zant		X			
Michael Weinstein	X				
Ritch Workman	X				
Stephen Precourt (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 12</b>			

### Appearances:

Bill Peeples (Lobbyist) - Opponent  
Florid Redevelopment Associaiton  
P.O. Box 10930  
Tallahassee FL 32302  
Phone: 850-566-3029

Rick Ammienato - Opponent  
City of Homestead CRA  
1111 Brickell Bay Drive  
Miami FL 33131  
Phone: 786-449-2383

David Cruz (Lobbyist) - Opponent  
Florida League of Cities  
P.O. Box 1757  
Tallahassee FL 32302  
Phone: 850-701-3676

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM

# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

**Location:** 404 HOB

**AMENDED**

**HB 547 : Community Redevelopment Agencies (continued)**

**Appearances: (continued)**

Jess McCarty (Lobbyist) - Proponent

Miami-Dade County

111 NW 1st street #2810

Miami FL 33128

Phone: 305-979-7110

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM



# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

CS/HB 801 : Emergency Telecommunications Service

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Larry Ahern	X				
Ben Albritton	X				
Lori Berman	X				
Douglas Broxson	X				
Matthew Caldwell	X				
Fredrick Costello	X				
Jose Diaz	X				
Reggie Fullwood	X				
James Grant	X				
John Julien	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda			X		
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
W. Gregory Steube	X				
Perry Thurston, Jr.	X				
Charles Van Zant	X				
Michael Weinstein	X				
Ritch Workman	X				
Stephen Precourt (Chair)	X				
<b>Total Yeas: 23</b>		<b>Total Nays: 0</b>			

### Appearances:

Jim Smith - Waive In Support  
CenturyLink  
315 S. Calhoun Street  
Tallahassee FL 32301  
Phone: 599-1779

Woody Simmons (Lobbyist) - Waive In Support  
Verizon  
106 East College Avenue  
Tallahassee FL 32301  
Phone: 850-222-6304

Charles Dudley (Lobbyist) - Proponent  
Florida Cable Telecom Assoc.  
108 South Monroe Street, #200  
Tallahassee FL 32301  
Phone: 681-0024

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# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

**Location:** 404 HOB

**AMENDED**

**CS/HB 801 : Emergency Telecommunications Service (continued)**

**Appearances: (continued)**

Brain Musselwhite (Lobbyist) - Waive In Support

Comcast

300 West Pensacola Street

Tallahassee FL 32301

Richard Pinsky - Proponent

FL 911 Emergency Dispatchers

106 E. College Avenue

Tallahassee FL 32301

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM

# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

HB 1015 : Tourist Development Tax

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Larry Ahern	X				
Ben Albritton	X				
Lori Berman	X				
Douglas Broxson	X				
Matthew Caldwell	X				
Fredrick Costello	X				
Jose Diaz	X				
Reggie Fullwood	X				
James Grant	X				
John Julien	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda			X		
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
W. Gregory Steube	X				
Perry Thurston, Jr.	X				
Charles Van Zant	X				
Michael Weinstein	X				
Ritch Workman	X				
Stephen Precourt (Chair)	X				
<b>Total Yeas: 23</b>		<b>Total Nays: 0</b>			

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# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

CS/HB 1343 : Discretionary Sales Surtaxes

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo		X			
Larry Ahern	X				
Ben Albritton			X		
Lori Berman	X				
Douglas Broxson	X				
Matthew Caldwell	X				
Fredrick Costello		X			
Jose Diaz	X				
Reggie Fullwood	X				
James Grant	X				
John Julien	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
W. Gregory Steube	X				
Perry Thurston, Jr.			X		
Charles Van Zant	X				
Michael Weinstein	X				
Ritch Workman	X				
Stephen Precourt (Chair)	X				
<b>Total Yeas: 20</b>		<b>Total Nays: 2</b>			

### Appearances:

Iraida Mendez-Cartaya (Lobbyist) - Proponent  
Miami-Dade County Public Schools  
1450 NE 2nd Avenue Room #931  
Miami FL 33132  
Phone: 305-995-1497

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM

# COMMITTEE MEETING REPORT

## Finance & Tax Committee

2/7/2012 3:45:00PM

Location: 404 HOB

AMENDED

PCB FTC 12-06 : Property Tax Exemption for Deployed Servicemembers

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Larry Ahern	X				
Ben Albritton	X				
Lori Berman	X				
Douglas Broxson	X				
Matthew Caldwell	X				
Fredrick Costello	X				
Jose Diaz	X				
Reggie Fullwood	X				
James Grant	X				
John Julien	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Scott Randolph	X				
Lake Ray	X				
Michelle Rehwinkel Vasilinda	X				
Hazelle Rogers	X				
Patrick Rooney, Jr.	X				
W. Gregory Steube	X				
Perry Thurston, Jr.			X		
Charles Van Zant			X		
Michael Weinstein	X				
Ritch Workman	X				
Stephen Precourt (Chair)	X				
<b>Total Yeas: 22</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Tuesday, February 07, 2012 6:32:10PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 169 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee  
2 Representative Oliva offered the following:

3  
4 **Amendment (with ballot and title amendments)**

5 Remove lines 56-71 and insert:

6 and subject to the provisions of general law, to grant ~~an~~ either  
7 or both of the following additional homestead tax exemptions ~~not~~  
8 exceeding:

9 (1) An exemption not exceeding fifty thousand dollars to  
10 any person who has the legal or equitable title to real estate  
11 and maintains thereon the permanent residence of the owner and  
12 who has attained age sixty-five and whose household income, as  
13 defined by general law, does not exceed twenty thousand dollars;  
14 or-

15 (2) An exemption equal to the assessed value of the  
16 property to any person who has the legal or equitable title to  
17 real estate with a just value less than two hundred and fifty  
18 thousand dollars and who has maintained thereon the permanent  
19 residence of the owner for not less than twenty-five years and

Amendment No. 1

20 who has attained age sixty-five and whose household income does  
21 not exceed the income limitation prescribed in paragraph (1).

22  
23 The general law must allow counties and municipalities to grant  
24 ~~this~~ these additional exemptions, within the limits prescribed  
25 in this

26  
27  
28  
29 -----  
30 **B A L L O T A M E N D M E N T**

31 Remove lines 110-117 and insert:

32 equal to the assessed value of homestead property if the  
33 property has a just value less than \$250,000 to an owner who has  
34 maintained permanent residency on the property for not less than  
35 25 years, who has attained age 65, and and who has a low  
36 household income as defined by general law.

37  
38  
39  
40 -----  
41 **T I T L E A M E N D M E N T**

42 Remove lines 6-10 and insert:

43 exemption equal to the assessed value of homestead property if  
44 the property has a just value lower than a specified amount, to  
45 an owner who has maintained permanent residency on the property  
46 for a specified duration, who has attained age 65, and whose  
47 household income does not exceed a specified amount.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 357 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee  
 2 Representative Oliva offered the following:

**Amendment (with title amendment)**

Remove lines 41-66 and insert:

ordinance to allow ~~an~~ either or both of the following additional  
homestead exemptions of up to:

(a) Fifty-thousand dollars \$50,000 for any person who has  
the legal or equitable title to real estate and maintains  
thereon the permanent residence of the owner, who has attained  
age 65, and whose household income does not exceed \$20,000; or-

(b) The amount of the assessed value of the property for  
any person who has the legal or equitable title to real estate  
with a just value less than two hundred and fifty thousand  
dollars and has maintained thereon the permanent residence of  
the owner for at least 25 years, who has attained age 65, and  
whose household income does not exceed the income limitation  
prescribed in (a) and as calculated in (3).



Amendment No. 1

19 (3) Beginning January 1, 2001, the \$20,000 income  
20 limitation shall be adjusted annually, on January 1, by the  
21 percentage change in the average cost-of-living index in the  
22 period January 1 through December 31 of the immediate prior year  
23 compared with the same period for the year prior to that. The  
24 index is the average of the monthly consumer-price-index figures  
25 for the stated 12-month period, relative to the United States as  
26 a whole, issued by the United States Department of Labor.

27 (4) An ordinance granting an additional homestead  
28 exemption as authorized by this section must meet the following  
29 requirements:

30 (a) It must be adopted under the procedures for adoption  
31 of a nonemergency ordinance specified in chapter 125 by a board  
32 of county commissioners, or chapter 166 by a municipal governing  
33 authority, except that the exemption authorized by paragraph  
34 (2)(b) must be authorized by a super majority (a majority plus  
35 one) vote of the members of the governing body of the county or  
36 municipality granting such exemption.

41 -----  
42 **T I T L E A M E N D M E N T**

43 Remove lines 7-16 and insert:

44 the assessed value of property with a just value lower than a  
45 specified amount, to an owner who has maintained permanent  
46 residency on the property for a specified duration, who has

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 357 (2012)

Amendment No. 1

47 | attained age 65, and whose household income does not exceed a  
48 | specified amount; providing definitions applicable to such  
49 | additional exemption; providing applicability of requirements  
50 | relating to the adoption of a local ordinance granting such  
51 | exemption;

52

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee  
 2 Representative Oliva offered the following:

4 **Amendment (with title amendment)**

5 Remove lines 175-180 and insert:

6 Section 4. Effective July 1, 2012, the sum of \$93,403 in  
 7 nonrecurring funds is appropriated from the General Revenue Fund  
 8 to the Department of State for purposes of publishing, as  
 9 required under s. 5(d), Art. XI of the State Constitution, the  
 10 proposed constitutional amendment contained in House Joint  
 11 Resolution 169, or a similar joint resolution having  
 12 substantially the same specific intent and purpose.

13 Section 5. Except as otherwise expressly provided in this  
 14 act, this act shall take effect upon the approval of House Joint  
 15 Resolution 169, or a similar joint resolution having  
 16 substantially the same specific intent and purpose, at the  
 17 general election to be held in November 2012 or at an earlier  
 18 special election specifically authorized by law for that  
 19 purpose, and shall first apply to the 2013 tax roll.

Amendment No. 2

20  
21  
22  
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25  
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27

-----

**T I T L E   A M E N D M E N T**

Remove line 21 and insert:  
in reference thereto; providing an appropriation; providing a  
contingent effective

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee  
 2 Representative Fresen offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (c) of subsection (3) of section  
 7 163.356, Florida Statutes, is amended, and subsection (5) is  
 8 added to that section, to read:

9 163.356 Creation and termination of a community  
 10 redevelopment agency.—

11 (3)

12 (c) The governing body of the county or municipality shall  
 13 designate a chair and vice chair from among the commissioners.  
 14 An agency may employ an executive director, technical experts,  
 15 and such other agents and employees, permanent and temporary, as  
 16 it requires, and determine their qualifications, duties, and  
 17 compensation. For such legal service as it requires, an agency  
 18 may employ or retain its own counsel and legal staff. An agency  
 19 authorized to transact business and exercise powers under this

Amendment No. 1

20 part shall file with the governing body, on or before March 31  
21 of each year, a report of its activities for the preceding  
22 fiscal year, which report shall include a complete financial  
23 statement setting forth its assets, liabilities, income, and  
24 operating expenses as of the end of such fiscal year. At the  
25 time of filing the report, the agency shall publish in a  
26 newspaper of general circulation in the community a notice to  
27 the effect that such report has been filed with the county or  
28 municipality and that the report is available for inspection  
29 during business hours in the office of the clerk of the city or  
30 county commission and in the office of the agency. Agencies  
31 operating within a county as defined in s. 125.011(1) are  
32 required to submit to annual performance reviews conducted by  
33 and at the discretion of the board of county commissioners.

34 (5) (a) In any county as defined in s. 125.011(1) that has  
35 created a community redevelopment agency or has delegated the  
36 creation of a community redevelopment agency to a municipality  
37 pursuant to s. 163.410, the board of county commissioners may  
38 terminate the agency operating or located in its boundaries, if  
39 the board finds pursuant to a forensic audit conducted under s.  
40 163.387(8):

41 1. The agency has neglected its duties and  
42 responsibilities under the approved redevelopment plan or under  
43 any interlocal agreement between the governing body of the  
44 county or any taxing authority and the agency under this part;  
45 or

46 2. The agency has engaged in financial misconduct.

Amendment No. 1

47           (b)1. After a public hearing on the proposed  
48 termination of an agency under this subsection, the board of  
49 county commissioners may effectuate the termination of the  
50 agency by adopting a resolution that approves termination of the  
51 agency pursuant to a termination plan consistent with the  
52 provisions of subparagraph 3.

53           2. The board of county commissioners must notify the  
54 agency of the proposed termination and the grounds for  
55 termination in writing at least 30 days before the public  
56 hearing on the termination of the agency. After the agency has  
57 been given notice pursuant to this subparagraph, the agency may  
58 not issue bonds, incur further indebtedness, or enter into any  
59 contract, unless approved by the board. The agency must respond  
60 to the notice of proposed termination and the grounds for  
61 termination in writing at least 5 days before the public  
62 hearing.

63           3. A termination plan approved by the board of county  
64 commissioners:

65           a. Shall, if the agency has outstanding debt, including  
66 debt that pledges increment revenues as a source of repayment,  
67 require repayment of the debt, or make provision for the  
68 repayment, on or before it is due and may require taxing  
69 authorities to continue making required contributions until the  
70 repayment is paid;

71           b. May require the governing body of the county to assume  
72 the powers of the agency and act as the board of commissioners  
73 for the agency for purposes of overseeing the continued payment

Amendment No. 1

74 of outstanding debt or the completion of projects begun before  
75 the date of the notice of termination;

76 c. Shall provide an effective date of termination of the  
77 agency, which shall be a date after payment or provision for  
78 payment of all outstanding debt of the agency; and

79 d. Shall provide that after termination of the agency the  
80 obligation of a taxing authority to contribute to the trust fund  
81 pursuant to s. 163.387 is automatically terminated by operation  
82 of law and any funds remaining in the trust fund shall be  
83 disbursed to the taxing authorities in proportion to the amounts  
84 contributed by such taxing authorities.

85 (c) Notwithstanding any provision of law to the contrary,  
86 consent to termination under this subsection is not required  
87 from the agency, from the governing body of a municipality  
88 within which the agency operates or which was delegated the  
89 authority to create the agency, from the taxing authorities that  
90 contribute to the redevelopment trust fund of the agency, or  
91 from any other person or entity.

92 Section 2. Subsection (10) of section 163.362, Florida  
93 Statutes, is amended, to read:

94 163.362 Contents of community redevelopment plan.—Every  
95 community redevelopment plan shall:

96 (10) Provide a time certain for completing all  
97 redevelopment financed by increment revenues. Such time certain  
98 shall occur no later than 30 years after the fiscal year in  
99 which the plan is approved, adopted, or amended pursuant to s.  
100 163.361(1). However, for any agency created after July 1, 2002,  
101 the time certain for completing all redevelopment financed by



Amendment No. 1

102 increment revenues must occur within 40 years after the fiscal  
103 year in which the plan is approved or adopted. In any county as  
104 defined in s. 125.011(1), any redevelopment plan that is  
105 approved or amended on or after July 1, 2012, must also provide  
106 a specific date by which each redevelopment activity that is a  
107 part of a redevelopment project proposed to be funded by the  
108 increment fund is scheduled to be completed.

109 Section 3. Subsections (6) and (8) of section 163.387,  
110 Florida Statutes, are amended to read:

111 163.387 Redevelopment trust fund.—

112 (6) (a) Moneys in the redevelopment trust fund may be  
113 expended from time to time for undertakings of a community  
114 redevelopment agency as described in the community redevelopment  
115 plan for the following purposes, including, but not limited to:

116 1. (a) Administrative and overhead expenses necessary or  
117 incidental to the implementation of a community redevelopment  
118 plan adopted by the agency.

119 2. (b) Expenses of redevelopment planning, surveys, and  
120 financial analysis, including the reimbursement of the governing  
121 body or the community redevelopment agency for such expenses  
122 incurred before the redevelopment plan was approved and adopted.

123 3. (c) The acquisition of real property in the  
124 redevelopment area.

125 4. (d) The clearance and preparation of any redevelopment  
126 area for redevelopment and relocation of site occupants within  
127 or outside the community redevelopment area as provided in s.  
128 163.370.

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129       ~~5.(e)~~ The repayment of principal and interest or any  
130 redemption premium for loans, advances, bonds, bond anticipation  
131 notes, and any other form of indebtedness.

132       ~~6.(f)~~ All expenses incidental to or connected with the  
133 issuance, sale, redemption, retirement, or purchase of bonds,  
134 bond anticipation notes, or other form of indebtedness,  
135 including funding of any reserve, redemption, or other fund or  
136 account provided for in the ordinance or resolution authorizing  
137 such bonds, notes, or other form of indebtedness.

138       ~~7.(g)~~ The development of affordable housing within the  
139 community redevelopment area.

140       ~~8.(h)~~ The development of community policing innovations.

141       (b) For the purpose of the expenditure of moneys in  
142 redevelopment trust funds in counties as defined in s.  
143 125.011(1), the following apply in addition to any requirement  
144 imposed by interlocal agreement:

145       1. An agency operating in the county must submit an annual  
146 budget indicating any proposed expenditures of increment  
147 revenues attributable to the county share of revenues by August  
148 15 of each year.

149       2. The board of county commissioners may, within 90 days  
150 of receipt approve the budget by resolution or reject the budget  
151 and return it to the agency. If the board of county  
152 commissioners does not act within 90 days, the budget shall be  
153 deemed approved. The agency may then revise the budget within 30  
154 days and resubmit it to the board of county commissioners, which  
155 would then have 90 days to act on it.

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156       3. Increment revenues contributed by the county may not be  
157 expended for redevelopment activities without the approval of  
158 the board of county commissioners, unless such expenditures are  
159 to pay existing debts and contractual obligations of the agency.

160       4. Existing debts or contractual obligations, as described  
161 in paragraph 3., include only such debt incurred pursuant to s.  
162 163.385 and moneys owed from contracts entered into before the  
163 date of a notice of termination as authorized by s. 163.356(5).  
164 Existing debts or contractual obligations may not include  
165 salaries of at-will employees whose duties are directly  
166 associated with the provision of administrative or other  
167 services and who are employed by an agency or a municipality  
168 that provides administrative or other services to an agency.  
169 Existing debts or contractual obligations may not include  
170 contracts that are terminable at will.

171       5. The agency may not seek permission to issue bonds,  
172 incur further indebtedness, or enter into contracts until the  
173 governing body of the county has approved the agency's annual  
174 budget.

175       (c) Notwithstanding any provision in this section, in a  
176 county as defined in s. 125.011(1), if the agency's issuance of  
177 debt has been approved pursuant to s. 163.385, the agency's  
178 payment of debt service for debt secured by increment revenues  
179 does not require the approval of the board of county  
180 commissioners as a part of the annual agency budgetary approval  
181 process.

182       (8) Each community redevelopment agency shall provide for  
183 an external audit of the trust fund each fiscal year a report of

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184 such audit to be prepared by an independent certified public  
185 accountant or firm. Such report shall describe the amount and  
186 source of deposits into, and the amount and purpose of  
187 withdrawals from, the trust fund during such fiscal year and the  
188 amount of principle and interest paid during such year on any  
189 indebtedness to which increment revenues are pledged and the  
190 remaining amount of such indebtedness. The agency shall provide  
191 by registered mail a copy of the report to each taxing  
192 authority. If the external audit finds evidence of financial  
193 misconduct related to expenditure of tax increment revenues  
194 attributable to funds derived from the county taxes, then the  
195 board of county commissioners may require a forensic audit.

196 Section 4. This act shall take effect July 1, 2012.  
197  
198

199 -----  
200 **T I T L E A M E N D M E N T**

201 Remove lines 7-21 and insert:  
202 commissioners of certain counties pursuant to a  
203 forensic audit; providing public hearing and notice  
204 and termination plan requirements; providing that  
205 consent from certain entities is not required for such  
206 termination; amending s. 163.362, F.S.; providing  
207 additional redevelopment plan requirements for certain  
208 counties; amending s. 163.387, F.S.; providing  
209 requirements for the expenditure of moneys from  
210 redevelopment trust funds in certain counties in  
211 addition to any requirements imposed by interlocal

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212 | agreements; providing protocol for the approval of  
213 | agency budgets by resolution; exempting payment of  
214 | debt service in such counties from certain approval;  
215 | providing for an annual external audit of the agency  
216 | trust fund; provides that a forensic audit may be  
217 | required under certain circumstances; providing an  
218 | effective date.

219

220

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COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Finance & Tax Committee  
 2 Representative Diaz offered the following:

3  
 4 **Amendment to Amendment (666965) by Representative Fresen**  
 5 **(with title amendment)**

6 Remove lines 183-195 of the amendment and insert:  
 7 an audit of the trust fund each fiscal year and a report of such  
 8 audit to be prepared by an independent certified public  
 9 accountant or firm. For those community redevelopment agencies  
 10 operating within a county as defined in section 125.011(1), the  
 11 audit shall be an external audit. Such report shall describe the  
 12 amount and source of deposits into, and the amount and purpose  
 13 of withdrawals from, the trust fund during such fiscal year and  
 14 the amount of principle and interest paid during such year on  
 15 any indebtedness to which increment revenues are pledged and the  
 16 remaining amount of such indebtedness. The agency shall provide  
 17 by registered mail a copy of the report to each taxing  
 18 authority. If an external audit finds evidence of financial  
 19 misconduct related to expenditure of tax increment revenues

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20 attributable to funds derived from the county taxes, then the  
21 board of county commissioners in a county as defined in section  
22 125.011(1) may require and provide for a forensic audit.

23 -----

24 T I T L E A M E N D M E N T

25 Remove lines 215-216 of the amendment and insert:  
26 providing that an external audit of an agency trust fund may be  
27 required under certain circumstances; provides that a forensic  
28 audit may be

29

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Bill No. CS/HB 801 (2012)

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COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Finance & Tax Committee  
2 Representative Steube offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (12) of section 365.171, Florida  
7 Statutes, is amended to read:

8 365.171. Emergency communications number E911 state plan.-

9 (12) CONFIDENTIALITY OF RECORDS.-

10 (a) Any record, recording, or information, or portions  
11 thereof, obtained by a public agency or a public safety agency  
12 for the purpose of providing services in an emergency and which  
13 reveals the name, address, telephone number, or personal  
14 information about, or information which may identify any person  
15 requesting emergency service or reporting an emergency by  
16 accessing an emergency communications E911 system is  
17 confidential and exempt from the provisions of s. 119.07(1) and  
18 s. 24(a), Art. I of the State Constitution, except that such  
19 record or information may be disclosed to a public safety



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20 agency. The exemption applies only to the name, address,  
21 telephone number or personal information about, or information  
22 which may identify any person requesting emergency services or  
23 reporting an emergency while such information is in the custody  
24 of the public agency or public safety agency providing emergency  
25 services. A telecommunications company or commercial mobile  
26 radio service provider shall not be liable for damages to any  
27 person resulting from or in connection with such telephone  
28 company's or commercial mobile radio service provider's  
29 provision of any lawful assistance to any investigative or law  
30 enforcement officer of the State of Florida or political  
31 subdivisions thereof, of the United States, or of any other  
32 state or political subdivision thereof, in connection with any  
33 lawful investigation or other law enforcement activity by such  
34 law enforcement officer unless the telecommunications company or  
35 commercial mobile radio service provider acted in a wanton and  
36 willful manner.

37 (b) Notwithstanding paragraph (a), a 911 public safety  
38 telecommunicator, as defined in s. 401.465, may contact any  
39 private person or entity that owns an automated external  
40 defibrillator who has notified the local emergency medical  
41 services medical director or public safety answering point of  
42 such ownership if a confirmed coronary emergency call is taking  
43 place and the location of the coronary emergency is within a  
44 reasonable distance from the location of the defibrillator, and  
45 may provide the location of the coronary emergency to that  
46 person or entity.

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47 Section 2. Paragraphs (a) and (b) of subsection (5),  
48 paragraphs (a) and (e) of subsection (8), and subsection (11) of  
49 section 365.172, Florida Statutes, are amended to read:

50 365.172 Emergency communications number -"E911."-

51 (5) THE E911 BOARD.-

52 (a) The E911 Board is established to administer, with  
53 oversight by the office, the fee imposed under subsection (8),  
54 including receiving revenues derived from the fee; distributing  
55 portions of the revenues to wireless providers, counties, and  
56 the office; accounting for receipts, distributions, and income  
57 derived by the funds maintained in the fund; and providing  
58 annual reports to the Governor and the Legislature for  
59 submission by the office on amounts collected and expended, the  
60 purposes for which expenditures have been made, and the status  
61 of E911 service in this state. In order to advise and assist the  
62 office in implementing ~~carrying out~~ the purposes of this  
63 section, the board, which has ~~shall have~~ the power of a body  
64 corporate, has the powers enumerated in subsection (6).

65 (b) The board shall consist of eleven ~~nine~~ members, one of  
66 whom must be the system director designated under s. 365.171(5),  
67 or his or her designee, who shall serve as the chair of the  
68 board. The remaining ten ~~eight~~ members of the board shall be  
69 appointed by the Governor and must be composed of five ~~four~~  
70 county 911 coordinators, consisting of a representative from a  
71 rural county, a representative from a medium county, a  
72 representative from a large county, and two ~~an~~ at-large  
73 representatives ~~representative~~ recommended by the Florida  
74 Association of Counties in consultation with the county 911

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75 coordinators; three ~~two~~ local exchange carrier member  
 76 representatives ~~members~~, one of whom ~~which~~ must be a  
 77 representative of the local exchange carrier having the greatest  
 78 number of access lines in the state and one of whom must be a  
 79 representative of a certificated competitive local exchange  
 80 telecommunications company; and two member representatives  
 81 ~~members~~ from the wireless telecommunications industry, with  
 82 ~~recommended by the Florida Telecommunications Industry~~  
 83 ~~Association in consultation with the wireless telecommunications~~  
 84 ~~industry. In recommending members from the wireless~~  
 85 ~~telecommunications industry,~~ consideration ~~must be~~ given to  
 86 wireless providers that ~~who~~ are not affiliated with local  
 87 exchange carriers. Not more than one member may be appointed to  
 88 represent any single provider on the board.

89 (8) E911 FEE.—

90 (a) Each voice communications services provider shall  
 91 collect the fee described in this subsection. Each provider, as  
 92 part of its monthly billing process, shall bill the fee as  
 93 follows. The fee shall not be assessed on any pay telephone in  
 94 the state.

95 1. Each voice communications service provider other than a  
 96 wireless provider ~~local exchange carrier~~ shall bill the fee to a  
 97 subscriber based on the number of access lines having access to  
 98 the E911 system, ~~the local exchange subscribers~~ on a service-  
 99 identifier basis, up to a maximum of 25 access lines per account  
 100 bill rendered.

101 2. Each voice communications service provider other than a  
 102 wireless provider shall bill the fee to a subscriber on a basis

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103 of five service-identified access lines for each digital  
104 transmission link, including primary rate interface service or  
105 equivalent Digital-Signal-1-level service, which can be  
106 channelized and split into 23 or 24 voice-or-data-grade channels  
107 for communications, up to a maximum of 25 access lines per  
108 account bill rendered.

109 ~~3.2.~~ Except in the case of prepaid wireless service, each  
110 wireless provider shall bill the fee to a subscriber on a per-  
111 service-identifier basis for service identifiers whose primary  
112 place of use is within this state. Before July 1, 2013, the fee  
113 shall not be assessed on or collected from a provider with  
114 respect to an end user's service if that end user's service is a  
115 prepaid calling arrangement that is subject to s. 212.05(1)(e).

116 a. An ~~No~~ E911 fee shall not be collected from the sale of  
117 prepaid wireless service before ~~prior to~~ July 1, 2013.

118 b. For purposes of this section, the term:

119 (I) "Prepaid wireless service" means the right to access  
120 telecommunications services, which ~~that~~ must be paid for in  
121 advance and ~~is~~ sold in predetermined units or dollars enabling  
122 the originator to make calls such that the number of units or  
123 dollars declines with use in a known amount.

124 (II) "Prepaid wireless service providers" includes those  
125 persons who sell prepaid wireless service regardless of its  
126 form, ~~either~~ as a retailer or reseller.

127 ~~4.3.~~ The All voice communications services providers not  
128 addressed under subparagraphs 1., 2., and 3. ~~2.~~ shall bill the  
129 fee on a per-service-identifier basis for service identifiers

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130 whose primary place of use is within the state up to a maximum  
131 of 25 service identifiers for each account bill rendered.

132

133 The provider may list the fee as a separate entry on each bill,  
134 in which case the fee must be identified as a fee for E911  
135 services. A provider shall remit the fee to the board only if  
136 the fee is paid by the subscriber. If a provider receives a  
137 partial payment for a monthly bill from a subscriber, the amount  
138 received shall first be applied to the payment due the provider  
139 for providing voice communications service.

140 (e) Effective September 1, 2007, voice communications  
141 services providers billing the fee to subscribers shall deliver  
142 revenues from the fee to the board within 60 days after the end  
143 of the month in which the fee was billed, together with a  
144 monthly report of the number of service identifiers in each  
145 county. Each wireless provider and other applicable provider  
146 identified in subparagraph (a)4. ~~(a)3.~~ shall report the number  
147 of service identifiers for subscribers whose place of primary  
148 use is in each county. All provider subscriber information  
149 provided to the board is subject to s. 365.174. If a provider  
150 chooses to remit any fee amounts to the board before they are  
151 paid by the subscribers, a provider may apply to the board for a  
152 refund of, or may take a credit for, any such fees remitted to  
153 the board which are not collected by the provider within 6  
154 months following the month in which the fees are charged off for  
155 federal income tax purposes as bad debt.

156 (11) INDEMNIFICATION AND LIMITATION OF LIABILITY.—A local  
157 government may ~~governments are authorized to undertake to~~

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158 indemnify local exchange carriers against liability in  
159 accordance with the published schedules ~~lawfully filed tariffs~~  
160 of the company. Notwithstanding an indemnification agreement, a  
161 local exchange carrier, voice communications services provider,  
162 or other service provider that provides 911 or E911 service on a  
163 retail or wholesale basis is not liable for damages resulting  
164 from or in connection with 911 or E911 service, or for  
165 identification of the telephone number, or address, or name  
166 associated with any person accessing 911 or E911 service, unless  
167 the carrier or ~~the voice communications services~~ provider acted  
168 with malicious purpose or in a manner exhibiting wanton and  
169 willful disregard of the rights, safety, or property of a person  
170 when providing such services. A carrier or ~~voice communications~~  
171 ~~services~~ provider is not liable for damages to any person  
172 resulting from or in connection with the carrier's or provider's  
173 provision of any lawful assistance to any investigative or law  
174 enforcement officer of the United States, this state, or a  
175 political subdivision thereof, or of any other state or  
176 political subdivision thereof, in connection with any lawful  
177 investigation or other law enforcement activity by such law  
178 enforcement officer. For purposes of this subsection, the term  
179 "911 or E911 service" means a telecommunications service, voice  
180 or nonvoice communications service, or other wireline or  
181 wireless service, including, but not limited to, a service using  
182 Internet protocol, which provides, in whole or in part, any of  
183 the following functions: providing members of the public with  
184 the ability to reach an answering point by using the digits 9-1-  
185 1; directing 911 calls to answering points by selective routing;

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186 providing for automatic number identification and automatic  
187 location-identification features; or providing wireless E911  
188 services as defined in the order.

189 Section 3. Paragraph (b) of subsection (2) of section  
190 401.2915, Florida Statutes, is amended to read:

191 401.2915 Automated external defibrillators.—It is the  
192 intent of the Legislature that an automated external  
193 defibrillator may be used by any person for the purpose of  
194 saving the life of another person in cardiac arrest. In order to  
195 achieve that goal, the Legislature intends to encourage training  
196 in lifesaving first aid and set standards for and encourage the  
197 use of automated external defibrillators.

198 (2) In order to promote public health and safety:

199 (b) Any person or entity in possession of an automated  
200 external defibrillator is encouraged to notify the local  
201 emergency medical services medical director or the local public  
202 safety answering point, as defined in s. 365.172(3), of the  
203 location of the automated external defibrillator.

204 Section 4. Paragraph (e) of subsection (1) and subsection  
205 (3) of section 427.706, Florida Statutes, are amended to read:

206 427.706 Advisory committee.—

207 (1) The commission shall appoint an advisory committee to  
208 assist the commission with the implementation of the provisions  
209 of this part. The committee shall be composed of no more than 10  
210 persons and shall include, to the extent practicable, the  
211 following:

212 (e) Two representatives of telecommunications companies,  
213 ~~one representing a local exchange telecommunications company and~~

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214 ~~one representing an interexchange telecommunications company,~~  
215 ~~recommended by the Florida Telephone Association.~~

216 (3) Members of the committee shall not be compensated for  
217 their services but are ~~shall be~~ entitled to receive  
218 reimbursement for per diem and travel expenses as provided in s.  
219 112.061. The commission shall use funds from the Florida Public  
220 Service Regulatory Trust Fund to cover the costs incurred by  
221 members of the advisory committee.

222 Section 5. This act shall take effect July 1, 2012.

223

224

225

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

226  
227 Remove the entire title and insert:

228 A bill to be entitled

229 An act relating to emergency 911 service; amending s.

230 365.171, F.S.; providing an exception to certain

231 confidentiality provisions for a 911 public safety

232 telecommunicator when a confirmed coronary emergency

233 call is taking place; amending s. 365.172, F.S.;

234 increasing the membership of the E911 Board and

235 revising the qualifications required for the members;

236 requiring that a voice communications service

237 provider, other than a wireless service provider,

238 impose a fee based on the number of access lines to

239 the E911 system and on the basis of certain access

240 lines for each digital transmission link, up to a

241 specified number of access lines per account bill



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242 rendered; revising the criteria that a local  
243 government may use in order to indemnify a local  
244 carrier; expanding the types of providers that may be  
245 indemnified and that are not liable for certain  
246 damages; revising cross-references; defining the term  
247 "911 or E911 service"; amending s. 401.2915, F.S.;  
248 providing for a person or entity in possession of an  
249 automated external defibrillator to notify the local  
250 public safety answering point regarding the location  
251 of the defibrillator; amending s. 427.706, F.S.;  
252 removing the requirement that the Florida Telephone  
253 Association recommend certain representatives to an  
254 advisory committee to the Public Service Commission;  
255 providing an effective date.