

By the Committee on Environmental Preservation and Conservation;
and Senator Dean

592-01699-15

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1 A bill to be entitled
2 An act relating to the implementation of the water and
3 land conservation constitutional amendment; amending
4 s. 201.15, F.S.; revising and deleting distributions
5 of the tax; providing that specified distributions to
6 the Land Acquisition Trust Fund are not subject to the
7 service charge under s. 215.20, F.S.; revising the
8 purposes for which distributions may be used;
9 repealing s. 161.05301, F.S., relating to beach
10 erosion control project staffing; repealing s.
11 161.091(3), F.S., relating to funding for the state's
12 beach management plan; repealing s. 375.045, F.S.,
13 relating to the Florida Preservation 2000 Trust Fund;
14 amending s. 375.075, F.S.; requiring specified public
15 recreation projects to have been selected through the
16 Department of Environmental Protection's competitive
17 selection process prior to the release of funds;
18 conforming provisions to changes made by the act;
19 amending ss. 201.0205, 215.618, 215.619, 259.032,
20 259.1051, 339.0801, 339.55, 341.303, 343.58, 369.252,
21 379.214, 379.362, 403.8911, 420.5092, and 420.9073,
22 F.S.; conforming provisions to changes made by the
23 act; reenacting ss. 201.031(2), 339.2818(6),
24 339.2819(5), 339.61(3), 341.051(6), 373.470(4)(e), and
25 420.9079(1), F.S., to incorporate the amendment made
26 by this act to s. 201.15, F.S., in references thereto;
27 providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1). Before distribution pursuant to ~~under~~ this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The ~~Such~~ costs and ~~the~~ service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. ~~After distributions are made pursuant to subsection (1),~~ All of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2015, secured by revenues distributed pursuant to this section ~~subsection (1)~~. All taxes remaining after deduction of costs ~~and the service charge~~ shall be distributed as follows:

(1) All of the remaining taxes collected under this chapter are pledged and shall be first made available to make payments on bonds issued pursuant to s. 215.618 or s. 215.619, as provided under paragraphs (3) (a) and (b), or on any other bonds authorized to be issued on a parity basis with such bonds. Amounts necessary to make such payments shall be deposited in the Land Acquisition Trust Fund.

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59 (2) From taxes remaining after the payments required
60 pursuant to subsection (1), an amount equal to 33 percent of all
61 taxes collected after first deducting the costs of collection,
62 minus amounts paid pursuant to subsection (1), shall be
63 deposited in the Land Acquisition Trust Fund.

64 (3) Amounts on deposit in the Land Acquisition Trust Fund
65 ~~Sixty-three and thirty-one hundredths percent of the remaining~~
66 ~~taxes shall be used in for the following order purposes:~~

67 (a) Payment of ~~Amounts necessary to pay the debt service~~
68 ~~on, or funding of fund~~ debt service reserve funds, rebate
69 obligations, or other amounts payable with respect to
70 ~~Preservation 2000 bonds issued pursuant to s. 375.051 and~~
71 ~~Florida Forever bonds issued pursuant to s. 215.618, shall be~~
72 ~~paid into the State Treasury to the credit of the Land~~
73 ~~Acquisition Trust Fund to be used for such purposes. The amount~~
74 used for such purposes ~~transferred to the Land Acquisition Trust~~
75 ~~Fund may not exceed \$300 million in each fiscal year 1999-2000~~
76 ~~and thereafter for Preservation 2000 bonds and bonds issued to~~
77 ~~refund Preservation 2000 bonds, and \$300 million in fiscal year~~
78 ~~2000-2001 and thereafter for Florida Forever bonds. The annual~~
79 ~~amount transferred to the Land Acquisition Trust Fund for~~
80 ~~Florida Forever bonds may not exceed \$30 million in the first~~
81 ~~fiscal year in which bonds are issued. The limitation on the~~
82 ~~amount transferred shall be increased by an additional \$30~~
83 ~~million in each subsequent fiscal year, but may not exceed a~~
84 ~~total of \$300 million in any fiscal year for all bonds issued.~~
85 It is the intent of the Legislature that all bonds issued to
86 fund the Florida Forever Act be retired by December 31, 2040.
87 Except for bonds issued to refund previously issued bonds, no

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88 series of bonds may be issued pursuant to this paragraph unless
89 such bonds are approved and the debt service for the remainder
90 of the fiscal year in which the bonds are issued is specifically
91 appropriated in the General Appropriations Act. ~~For purposes of~~
92 ~~refunding Preservation 2000 bonds, amounts designated within~~
93 ~~this section for Preservation 2000 and Florida Forever bonds may~~
94 ~~be transferred between the two programs to the extent provided~~
95 ~~for in the documents authorizing the issuance of the bonds. The~~
96 ~~Preservation 2000 bonds and Florida Forever bonds are equally~~
97 ~~and ratably secured by moneys distributable to the Land~~
98 ~~Acquisition Trust Fund pursuant to this section, except as~~
99 ~~specifically provided otherwise by the documents authorizing the~~
100 ~~issuance of the bonds. Moneys transferred to the Land~~
101 ~~Acquisition Trust Fund pursuant to this paragraph, or earnings~~
102 ~~thereon, may not be used or made available to pay debt service~~
103 ~~on the Save Our Coast revenue bonds.~~

104 (b) Payment Moneys shall be paid into the State Treasury to
105 the credit of the Save Our Everglades Trust Fund in amounts
106 necessary to pay debt service, provide reserves, and pay rebate
107 obligations and other amounts due with respect to bonds issued
108 pursuant to ~~under~~ s. 215.619. Taxes distributed under paragraph
109 (a) and this paragraph must be collectively distributed on a pro
110 rata basis when the available moneys under this subsection are
111 not sufficient to cover the amounts required under paragraph (a)
112 and this paragraph.

113
114 Bonds issued pursuant to s. 215.618 or s. 215.619 are equally
115 and ratably secured by moneys distributable to the Land
116 Acquisition Trust Fund.

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117 (4)(e) After the required distributions to the Land
118 Acquisition Trust Fund pursuant to subsections (1) and (2) and
119 deduction of the service charge imposed pursuant to s. 215.20(1)
120 payments under paragraphs (a) and (b), the remainder shall be
121 distributed as follows paid into the State Treasury to the
122 credit of:

123 (a)1. The State Transportation Trust Fund in the Department
124 of Transportation in the amount of The lesser of 24.18442 ~~38.2~~
125 percent of the remainder or \$541.75 million in each fiscal year
126 shall be paid into the State Treasury to the credit of the State
127 Transportation Trust Fund. Out Of such funds, the first \$50
128 million for the 2012-2013 fiscal year; \$65 million for the 2013-
129 2014 fiscal year; and \$75 million for each the 2014-2015 fiscal
130 year and all subsequent years, shall be transferred to the State
131 Economic Enhancement and Development Trust Fund within the
132 Department of Economic Opportunity. Notwithstanding any other
133 law, the remaining amount credited to the State Transportation
134 Trust Fund shall remainder is to be used for the following
135 specified purposes, notwithstanding any other law to the
136 contrary:

137 1.a. For the purposes of Capital funding for the New Starts
138 Transit Program, authorized by Title 49, U.S.C. s. 5309 and
139 specified in s. 341.051, in the amount of 10 percent of the
140 these funds;

141 2.b. For the purposes of The Small County Outreach Program
142 specified in s. 339.2818, in the amount of 10 ~~5~~ percent of the
143 these funds. Effective July 1, 2014, the percentage allocated
144 under this sub-subparagraph shall be increased to 10 percent;

145 3.e. For the purposes of The Strategic Intermodal System

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146 specified in ss. 339.61, 339.62, 339.63, and 339.64, in the
147 amount of 75 percent of the these funds after deduction of the
148 payments required pursuant to subparagraphs 1. and 2. allocating
149 ~~for the New Starts Transit Program described in sub-subparagraph~~
150 ~~a. and the Small County Outreach Program described in sub-~~
151 ~~subparagraph b.; and~~

152 4.d. ~~For the purposes of~~ The Transportation Regional
153 Incentive Program specified in s. 339.2819, in the amount of 25
154 percent of the these funds after deduction of the payments
155 required pursuant to subparagraphs 1. and 2. allocating for the
156 ~~New Starts Transit Program described in sub-subparagraph a. and~~
157 ~~the Small County Outreach Program described in sub-subparagraph~~
158 ~~b. Effective July 1, 2014, The first \$60 million of the funds~~
159 ~~allocated pursuant to this subparagraph sub-subparagraph shall~~
160 ~~be allocated annually to the Florida Rail Enterprise for the~~
161 ~~purposes established in s. 341.303(5).~~

162 (b)2. ~~The Grants and Donations Trust Fund in the Department~~
163 ~~of Economic Opportunity in the amount of The lesser of .1456 .23~~
164 ~~percent of the remainder or \$3.25 million in each fiscal year~~
165 shall be paid into the State Treasury to the credit of the
166 Grants and Donations Trust Fund in the Department of Economic
167 Opportunity to fund technical assistance to local governments.

168 ~~3. The Ecosystem Management and Restoration Trust Fund in~~
169 ~~the amount of the lesser of 2.12 percent of the remainder or \$30~~
170 ~~million in each fiscal year, to be used for the preservation and~~
171 ~~repair of the state's beaches as provided in ss. 161.091-~~
172 ~~161.212.~~

173 ~~4. General Inspection Trust Fund in the amount of the~~
174 ~~lesser of .02 percent of the remainder or \$300,000 in each~~

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175 ~~fiscal year to be used to fund oyster management and restoration~~
176 ~~programs as provided in s. 379.362(3).~~

177

178 Moneys distributed pursuant to paragraphs (a) and (b) ~~this~~
179 ~~paragraph~~ may not be pledged for debt service unless such pledge
180 is approved by referendum of the voters.

181 ~~(d) After the required payments under paragraphs (a), (b),~~
182 ~~and (c), the remainder shall be paid into the State Treasury to~~
183 ~~the credit of the General Revenue Fund to be used and expended~~
184 ~~for the purposes for which the General Revenue Fund was created~~
185 ~~and exists by law.~~

186 ~~(2) The lesser of 7.56 percent of the remaining taxes or~~
187 ~~\$84.9 million in each fiscal year shall be distributed as~~
188 ~~follows:~~

189 ~~(a) Six million and three hundred thousand dollars shall be~~
190 ~~paid into the State Treasury to the credit of the General~~
191 ~~Revenue Fund.~~

192 ~~(b) The remainder shall be paid into the State Treasury to~~
193 ~~the credit of the Land Acquisition Trust Fund. Sums deposited in~~
194 ~~the fund pursuant to this subsection may be used for any purpose~~
195 ~~for which funds deposited in the Land Acquisition Trust Fund may~~
196 ~~lawfully be used.~~

197 ~~(3) (a) The lesser of 1.94 percent of the remaining taxes or~~
198 ~~\$26 million in each fiscal year shall be distributed in the~~
199 ~~following order:~~

200 ~~1. Amounts necessary to pay debt service or to fund debt~~
201 ~~service reserve funds, rebate obligations, or other amounts~~
202 ~~payable with respect to bonds issued before February 1, 2009,~~
203 ~~pursuant to this subsection shall be paid into the State~~

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204 ~~Treasury to the credit of the Land Acquisition Trust Fund.~~
205 ~~2. Eleven million dollars shall be paid into the State~~
206 ~~Treasury to the credit of the General Revenue Fund.~~
207 ~~3. The remainder shall be paid into the State Treasury to~~
208 ~~the credit of the Land Acquisition Trust Fund.~~
209 ~~(b) Moneys deposited in the Land Acquisition Trust Fund~~
210 ~~pursuant to this subsection shall be used to acquire coastal~~
211 ~~lands or to pay debt service on bonds issued to acquire coastal~~
212 ~~lands and to develop and manage lands acquired with moneys from~~
213 ~~the trust fund.~~
214 ~~(4) The lesser of 4.2 percent of the remaining taxes or~~
215 ~~\$60.5 million in each fiscal year shall be paid into the State~~
216 ~~Treasury to the credit of the Water Management Lands Trust Fund.~~
217 ~~Sums deposited in that fund may be used for any purpose~~
218 ~~authorized in s. 373.59. An amount equal to the amounts~~
219 ~~necessary to pay debt service or to fund debt service reserve~~
220 ~~funds, rebate obligations, or other amounts payable with respect~~
221 ~~to bonds authorized pursuant to s. 215.619(1)(a)2. and the~~
222 ~~proviso associated with Specific Appropriation 1626A of the~~
223 ~~2014-2015 General Appropriations Act shall be transferred~~
224 ~~annually from the Water Management Lands Trust Fund to the~~
225 ~~General Revenue Fund.~~
226 ~~(5) Of the remaining taxes, 3.52 percent shall be paid into~~
227 ~~the State Treasury to the credit of the Conservation and~~
228 ~~Recreation Lands Trust Fund to carry out the purposes set forth~~
229 ~~in s. 259.032. Eleven and fifteen hundredths percent of the~~
230 ~~amount credited to the Conservation and Recreation Lands Trust~~
231 ~~Fund pursuant to this subsection shall be transferred to the~~
232 ~~State Game Trust Fund and used for land management activities.~~

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233 ~~(6) The lesser of 2.28 percent of the remaining taxes or~~
234 ~~\$34.1 million in each fiscal year shall be paid into the State~~
235 ~~Treasury to the credit of the Invasive Plant Control Trust Fund~~
236 ~~to carry out the purposes set forth in ss. 369.22 and 369.252.~~

237 ~~(7) The lesser of .5 percent of the remaining taxes or \$9.3~~
238 ~~million in each fiscal year shall be paid into the State~~
239 ~~Treasury to the credit of the State Game Trust Fund to be used~~
240 ~~exclusively for the purpose of implementing the Lake Restoration~~
241 ~~2020 Program.~~

242 ~~(8) One-half of one percent of the remaining taxes shall be~~
243 ~~paid into the State Treasury and divided equally to the credit~~
244 ~~of the Department of Environmental Protection Water Quality~~
245 ~~Assurance Trust Fund to address water quality impacts associated~~
246 ~~with nonagricultural nonpoint sources and to the credit of the~~
247 ~~Department of Agriculture and Consumer Services General~~
248 ~~Inspection Trust Fund to address water quality impacts~~
249 ~~associated with agricultural nonpoint sources, respectively.~~
250 ~~These funds shall be used for research, development,~~
251 ~~demonstration, and implementation of suitable best management~~
252 ~~practices or other measures used to achieve water quality~~
253 ~~standards in surface waters and water segments identified~~
254 ~~pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-~~
255 ~~500, 33 U.S.C. ss. 1251 et seq. Implementation of best~~
256 ~~management practices and other measures may include cost-share~~
257 ~~grants, technical assistance, implementation tracking, and~~
258 ~~conservation leases or other agreements for water quality~~
259 ~~improvement. The Department of Environmental Protection and the~~
260 ~~Department of Agriculture and Consumer Services may adopt rules~~
261 ~~governing the distribution of funds for implementation of best~~

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262 management practices. The unobligated balance of funds received
263 from the distribution of taxes collected under this chapter to
264 address water quality impacts associated with nonagricultural
265 nonpoint sources must be excluded when calculating the
266 unobligated balance of the Water Quality Assurance Trust Fund as
267 it relates to the determination of the applicable excise tax
268 rate.

269 (c) ~~(9)~~ Seven and fifty-three hundredths percent of the
270 remainder remaining taxes in each fiscal year shall be paid into
271 the State Treasury to the credit of the State Housing Trust
272 Fund. ~~Out~~ Of such funds, ~~beginning in the 2012-2013 fiscal year,~~
273 the first \$35 million shall be transferred annually, subject to
274 any distribution required pursuant to ~~under~~ subsection (5) ~~(15)~~,
275 to the State Economic Enhancement and Development Trust Fund
276 within the Department of Economic Opportunity. The remainder
277 shall be used as follows:

278 1. ~~(a)~~ Half of that amount shall be used for the purposes
279 for which the State Housing Trust Fund was created and exists by
280 law.

281 2. ~~(b)~~ Half of that amount shall be paid into the State
282 Treasury to the credit of the Local Government Housing Trust
283 Fund and used for the purposes for which the Local Government
284 Housing Trust Fund was created and exists by law.

285 (d) ~~(10)~~ Eight and sixty-six hundredths percent of the
286 remainder remaining taxes in each fiscal year shall be paid into
287 the State Treasury to the credit of the State Housing Trust
288 Fund. ~~Out~~ Of such funds, ~~beginning in the 2012-2013 fiscal year,~~
289 the first \$40 million shall be transferred annually, subject to
290 any distribution required pursuant to ~~under~~ subsection (5) ~~(15)~~,

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291 to the State Economic Enhancement and Development Trust Fund
292 within the Department of Economic Opportunity. The remainder
293 shall be used as follows:

294 1.(a) Twelve and one-half percent of that amount shall be
295 deposited into the State Housing Trust Fund and ~~be~~ expended by
296 the Department of Economic Opportunity and ~~by~~ the Florida
297 Housing Finance Corporation for the purposes for which the State
298 Housing Trust Fund was created and exists by law.

299 2.(b) Eighty-seven and one-half percent of that amount
300 shall be distributed to the Local Government Housing Trust Fund
301 and used for the purposes for which the Local Government Housing
302 Trust Fund was created and exists by law. Funds from this
303 category may also be used to provide for state and local
304 services to assist the homeless.

305 (e) The sum of \$1.16 million in each fiscal year shall be
306 paid into the State Treasury to the credit of the Internal
307 Improvement Trust Fund for the purpose of making payment in lieu
308 of taxes under s. 259.032(12)(b).

309 ~~(11) The distribution of proceeds deposited into the Water~~
310 ~~Management Lands Trust Fund and the Conservation and Recreation~~
311 ~~Lands Trust Fund, pursuant to subsections (4) and (5), may not~~
312 ~~be used for land acquisition but may be used for preacquisition~~
313 ~~costs associated with land purchases. The Legislature intends~~
314 ~~that the Florida Forever program supplant the acquisition~~
315 ~~programs formerly authorized under ss. 259.032 and 373.59.~~

316 ~~(12) Amounts distributed pursuant to subsections (5), (6),~~
317 ~~(7), and (8) are subject to the payment of debt service on~~
318 ~~outstanding Conservation and Recreation Lands revenue bonds.~~

319 ~~(13) In each fiscal year that the remaining taxes exceed~~

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320 ~~collections in the prior fiscal year, the stated maximum dollar~~
321 ~~amounts provided in subsections (2), (4), (6), and (7) shall~~
322 ~~each be increased by an amount equal to 10 percent of the~~
323 ~~increase in the remaining taxes collected under this chapter~~
324 ~~multiplied by the applicable percentage provided in those~~
325 ~~subsections.~~

326 ~~(14) If the payment requirements in any year for bonds~~
327 ~~outstanding on July 1, 2007, or bonds issued to refund such~~
328 ~~bonds, exceed the limitations of this section, distributions to~~
329 ~~the trust fund from which the bond payments are made must be~~
330 ~~increased to the lesser of the amount needed to pay bond~~
331 ~~obligations or the limit of the applicable percentage~~
332 ~~distribution provided in subsections (1)-(10).~~

333 ~~(5)~~(15) Distributions to the State Housing Trust Fund
334 pursuant to paragraphs (4) (c) and (d) ~~subsections (9) and (10)~~
335 must be sufficient to cover amounts required to be transferred
336 to the Florida Affordable Housing Guarantee Program's annual
337 debt service reserve and guarantee fund pursuant to s.
338 420.5092(6) (a) and (b) up to the amount required to be
339 transferred to such reserve and fund based on the percentage
340 distribution of documentary stamp tax revenues to the State
341 Housing Trust Fund which is in effect in the 2004-2005 fiscal
342 year.

343 ~~(16) If amounts necessary to pay debt service or any other~~
344 ~~amounts payable with respect to Preservation 2000 bonds, Florida~~
345 ~~Forever bonds, or Everglades Restoration bonds authorized before~~
346 ~~January 1, 2015, exceed the amounts distributable pursuant to~~
347 ~~subsection (1), all moneys distributable pursuant to this~~
348 ~~section are available for such obligations and transferred in~~

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349 ~~the amounts necessary to pay such obligations when due. However,~~
350 ~~amounts distributable pursuant to subsection (2), subsection~~
351 ~~(3), subsection (4), subsection (5), paragraph (9) (a), or~~
352 ~~paragraph (10) (a) are not available to pay such obligations to~~
353 ~~the extent that such moneys are necessary to pay debt service on~~
354 ~~bonds secured by revenues pursuant to those provisions.~~

355 (6) ~~(17)~~ After the distributions provided in the preceding
356 subsections, any remaining taxes shall be paid into the State
357 Treasury to the credit of the General Revenue Fund.

358 Section 2. Section 161.05301, Florida Statutes, is
359 repealed.

360 Section 3. Subsection (3) of section 161.091, Florida
361 Statutes, is repealed.

362 Section 4. Section 375.045, Florida Statutes, is repealed.

363 Section 5. Subsection (1) and paragraph (c) of subsection
364 (2) of section 375.075, Florida Statutes, are amended to read:
365 375.075 Outdoor recreation; financial assistance to local
366 governments.—

367 (1) The Department of Environmental Protection may ~~is~~
368 ~~authorized to~~ establish the Florida Recreation Development
369 Assistance Program to provide grants to qualified local
370 governmental entities to acquire or develop land for public
371 outdoor recreation purposes. ~~To the extent not needed for debt~~
372 ~~service on bonds issued pursuant to s. 375.051, each year The~~
373 ~~department shall~~ annually develop and plan a program ~~which shall~~
374 ~~be based upon funding of not less than 5 percent of the money~~
375 ~~credited to the Land Acquisition Trust Fund pursuant to s.~~
376 ~~201.15(2) and (3) in that year. The department shall develop and~~
377 ~~plan a program which shall be based upon~~ the cumulative total

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378 funding provided from this section and from the Florida Forever
379 Trust Fund pursuant to s. 259.105(3)(d).

380 (2)

381 (c) Funds may not be released under ~~No release of funds~~
382 ~~from the Land Acquisition Trust Fund, or from the Florida~~
383 ~~Forever Trust Fund beginning in fiscal year 2001-2002, for this~~
384 program may be made for these public recreation projects until
385 the projects have been selected through the competitive
386 selection process provided for in this section.

387 Section 6. Section 201.0205, Florida Statutes, is amended
388 to read:

389 201.0205 Counties that have implemented ch. 83-220;
390 inapplicability of 10-cent tax increase by s. 2, ch. 92-317,
391 Laws of Florida.—The 10-cent tax increase in the documentary
392 stamp tax levied by s. 2, chapter 92-317, does not apply to
393 deeds and other taxable instruments relating to real property
394 located in any county that has implemented the provisions of
395 chapter 83-220, Laws of Florida, as amended by chapters 84-270,
396 86-152, and 89-252, Laws of Florida. Each such county and each
397 eligible jurisdiction within such county may ~~shall not be~~
398 ~~eligible to~~ participate in programs funded pursuant to s.
399 201.15(4)(c) ~~s. 201.15(9)~~. However, each such county and each
400 eligible jurisdiction within such county may ~~shall be eligible~~
401 ~~to~~ participate in programs funded pursuant to s. 201.15(4)(d) ~~s.~~
402 ~~201.15(10)~~.

403 Section 7. Paragraph (a) of subsection (1) and subsection
404 (3) of section 215.618, Florida Statutes, are amended to read:

405 215.618 Bonds for acquisition and improvement of land,
406 water areas, and related property interests and resources.—

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407 (1) (a) The issuance of Florida Forever bonds, not to exceed
408 \$5.3 billion, to finance or refinance the cost of acquisition
409 and improvement of land, water areas, and related property
410 interests and resources, in urban and rural settings, for the
411 purposes of restoration, conservation, recreation, water
412 resource development, or historical preservation, and for
413 capital improvements to lands and water areas that accomplish
414 environmental restoration, enhance public access and
415 recreational enjoyment, promote long-term management goals, and
416 facilitate water resource development is ~~hereby~~ authorized,
417 subject to ~~the provisions of~~ s. 259.105 and pursuant to s.
418 11(e), Art. VII of the State Constitution. ~~Florida Forever bonds~~
419 ~~may also be issued to refund Preservation 2000 bonds issued~~
420 ~~pursuant to s. 375.051. The \$5.3 billion limitation on the~~
421 ~~issuance of Florida Forever bonds does not apply to refunding~~
422 ~~bonds.~~ The duration of each series of Florida Forever bonds
423 issued may not exceed 20 annual maturities. ~~Preservation 2000~~
424 ~~bonds and Florida Forever bonds shall be equally and ratably~~
425 ~~secured by moneys distributable to the Land Acquisition Trust~~
426 ~~Fund pursuant to s. 201.15(1)(a), except to the extent~~
427 ~~specifically provided otherwise by the documents authorizing the~~
428 ~~issuance of the bonds.~~

429 (3) Bonds issued pursuant to this section are ~~shall be~~
430 payable from taxes distributable to the Land Acquisition Trust
431 Fund pursuant to s. 201.15(1)(~~a~~). Bonds issued pursuant to this
432 section do ~~shall~~ not constitute a general obligation of, or a
433 pledge of the full faith and credit of, the state.

434 Section 8. Subsections (2) and (3) of section 215.619,
435 Florida Statutes, are amended to read:

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436 215.619 Bonds for Everglades restoration.—

437 (2) The state covenants with the holders of Everglades
438 restoration bonds that it will not take any action that will
439 materially and adversely affect the rights of the holders so
440 long as the bonds are outstanding, including, but not limited
441 to, a reduction in the portion of documentary stamp taxes
442 distributable pursuant to ~~under~~ s. 201.15(1) for payment of debt
443 service on ~~Preservation 2000 bonds,~~ Florida Forever bonds, or
444 Everglades restoration bonds.

445 (3) Everglades restoration bonds are payable from, and
446 secured by a first lien on, taxes distributable pursuant to
447 ~~under~~ s. 201.15(1) ~~(b)~~ and do not constitute a general obligation
448 of, or a pledge of the full faith and credit of, the state.
449 Everglades restoration bonds shall be secured on a parity basis
450 with bonds secured by moneys distributable pursuant to ~~under~~ s.
451 201.15(1) ~~(a)~~.

452 Section 9. Paragraph (a) of subsection (2) of section
453 259.032, Florida Statutes, is amended to read:

454 259.032 Conservation and Recreation Lands Trust Fund;
455 purpose.—

456 (2) (a) The Conservation and Recreation Lands Trust Fund is
457 established within the Department of Environmental Protection.
458 The fund shall be used as a nonlapsing, revolving fund
459 exclusively for the purposes of this section. The Department of
460 Revenue fund shall credit the fund each month ~~be credited~~ with
461 the proceeds from the ~~following excise taxes:~~

462 1. ~~The excise taxes on documents as provided in s. 201.15,~~
463 ~~and~~

464 2. ~~The~~ excise tax on the severance of phosphate rock as

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465 provided in s. 211.3103.

466

467 ~~The Department of Revenue shall credit to the fund each month~~
468 ~~the proceeds from such taxes as provided in this paragraph.~~

469 Section 10. Subsections (1) and (3) of section 259.1051,
470 Florida Statutes, are amended to read:

471 259.1051 Florida Forever Trust Fund.—

472 (1) ~~There is created~~ The Florida Forever Trust Fund is
473 created to carry out the purposes of ss. 259.032, 259.105,
474 259.1052, and 375.031. The Florida Forever Trust Fund shall be
475 held and administered by the department ~~of Environmental~~
476 ~~Protection~~. Proceeds from the sale of bonds, except proceeds of
477 refunding bonds, issued pursuant to ~~under~~ s. 215.618 and payable
478 from moneys transferred to the Land Acquisition Trust Fund
479 pursuant to ~~under~~ s. 201.15(1)(~~a~~), not to exceed \$5.3 billion,
480 shall ~~must~~ be deposited into this trust fund to be distributed
481 and used as provided in s. 259.105(3). The bond resolution
482 adopted by the governing board of the division ~~of Bond Finance~~
483 ~~of the State Board of Administration~~ may provide for additional
484 provisions that govern the disbursement of the bond proceeds.

485 (3) The department ~~of Environmental Protection~~ shall ensure
486 that the proceeds from the sale of bonds issued pursuant to
487 ~~under~~ s. 215.618 and payable from moneys transferred to the Land
488 Acquisition Trust Fund pursuant to ~~under~~ s. 201.15(1)(~~a~~) are
489 ~~shall be~~ administered and expended in a manner that ensures
490 compliance of each issue of bonds that are issued on the basis
491 that interest thereon will be excluded from gross income for
492 federal income tax purposes, with the applicable provisions of
493 the United States Internal Revenue Code and the regulations

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494 adopted ~~promulgated~~ thereunder, to the extent necessary to
495 preserve the exclusion of interest on the bonds from gross
496 income for federal income tax purposes. The department ~~of~~
497 ~~Environmental Protection~~ shall administer the use and
498 disbursement of the proceeds of such bonds or require that such
499 ~~the~~ use and disbursement ~~thereof~~ be administered in a manner to
500 implement strategies to maximize any available benefits under
501 the applicable provisions of the United States Internal Revenue
502 Code or regulations adopted ~~promulgated~~ thereunder, if
503 consistent to the extent not inconsistent with the purposes
504 identified in s. 259.105(3).

505 Section 11. Subsection (4) of section 339.0801, Florida
506 Statutes, is amended to read:

507 339.0801 Allocation of increased revenues derived from
508 amendments to s. 319.32(5) (a) by ch. 2012-128.—Funds that result
509 from increased revenues to the State Transportation Trust Fund
510 derived from the amendments to s. 319.32(5) (a) made by this act
511 must be used annually, first as set forth in subsection (1) and
512 then as set forth in subsections (2)-(5), notwithstanding any
513 other provision of law:

514 (4) Beginning in the 2013-2014 fiscal year and annually
515 thereafter, \$10 million shall be allocated to the Small County
516 Outreach Program, to be used as specified in s. 339.2818. These
517 funds are in addition to the funds provided for the program
518 pursuant to s. 201.15 ~~in s. 201.15(1)(c)1.b.~~

519 Section 12. Subsection (9) of section 339.55, Florida
520 Statutes, is amended to read:

521 339.55 State-funded infrastructure bank.—

522 (9) Funds paid into the State Transportation Trust Fund

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523 pursuant to s. 201.15 ~~s. 201.15(1)(e)~~ for the purposes of the
524 State Infrastructure Bank are hereby annually appropriated for
525 expenditure to support that program.

526 Section 13. Subsection (5) of section 341.303, Florida
527 Statutes, is amended to read:

528 341.303 Funding authorization and appropriations;
529 eligibility and participation.—

530 (5) FUND PARTICIPATION; FLORIDA RAIL ENTERPRISE.—

531 ~~(a)~~ The department, through the Florida Rail Enterprise, is
532 authorized to use funds provided pursuant to s. 201.15(4)(a)4.
533 ~~under s. 201.15(1)(e)1.d.~~ to fund:

534 (a) Up to 50 percent of the nonfederal share of the costs
535 of any eligible passenger rail capital improvement project.

536 ~~(b) The department, through the Florida Rail Enterprise, is~~
537 ~~authorized to use funds provided under s. 201.15(1)(e)1.d. to~~
538 ~~fund~~ Up to 100 percent of planning and development costs related
539 to the provision of a passenger rail system, including, but not
540 limited to, preliminary engineering, revenue studies,
541 environmental impact studies, financial advisory services,
542 engineering design, and other appropriate professional services.

543 ~~(c) The department, through the Florida Rail Enterprise, is~~
544 ~~authorized to use funds provided under s. 201.15(1)(e)1.d. to~~
545 ~~fund~~ The high-speed rail system.

546 ~~(d) The department, through the Florida Rail Enterprise, is~~
547 ~~authorized to use funds provided under s. 201.15(1)(e)1.d. to~~
548 ~~fund~~ Projects necessary to identify or address anticipated
549 impacts of increased freight rail traffic resulting from the
550 implementation of passenger rail systems as provided in s.
551 341.302(3)(b).

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552 Section 14. Paragraph (b) of subsection (4) of section
553 343.58, Florida Statutes, is amended to read:

554 343.58 County funding for the South Florida Regional
555 Transportation Authority.—

556 (4) Notwithstanding any other provision of law to the
557 contrary and effective July 1, 2010, until as provided in
558 paragraph (d), the department shall transfer annually from the
559 State Transportation Trust Fund to the South Florida Regional
560 Transportation Authority the amounts specified in subparagraph
561 (a)1. or subparagraph (a)2.

562 (b) Funding required by this subsection may not be provided
563 from the funds dedicated to the Florida Rail Enterprise pursuant
564 to s. 201.15(4)(a)4 ~~under s. 201.15(1)(c)1.d.~~

565 Section 15. Section 369.252, Florida Statutes, is amended
566 to read:

567 369.252 Invasive plant control on public lands.—The Fish
568 and Wildlife Conservation Commission shall establish a program
569 that will accomplish all of the following ~~to~~:

570 (1) Achieve eradication or maintenance control of invasive
571 exotic plants on public lands when the scientific data indicate
572 that they are detrimental to the state's natural environment or
573 when the Commissioner of Agriculture finds that such plants or
574 specific populations thereof are a threat to the agricultural
575 productivity of the state. †

576 (2) Assist state and local government agencies in the
577 development and implementation of coordinated management plans
578 for the eradication or maintenance control of invasive exotic
579 plant species on public lands. †

580 (3) Contract, or enter into agreements, with entities in

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581 the State University System or other governmental or private
582 sector entities for research concerning control agents;
583 production and growth of biological control agents; and
584 development of workable methods for the eradication or
585 maintenance control of invasive exotic plants on public lands.†
586 and

587 (4) Use funds in the Invasive Plant Control Trust Fund as
588 authorized by the Legislature for carrying out activities under
589 this section on public lands. ~~A minimum of 20 percent of the~~
590 ~~amount credited to the Invasive Plant Control Trust Fund~~
591 ~~pursuant to s. 201.15(6) shall be used for the purpose of~~
592 ~~controlling nonnative, upland, invasive plant species on public~~
593 ~~lands.~~

594 Section 16. Subsection (2) of section 379.214, Florida
595 Statutes, is amended to read:

596 379.214 Invasive Plant Control Trust Fund.—

597 (2) Funds to be credited to and uses of the trust fund
598 shall be administered in accordance with the provisions of ss.
599 ~~201.15,~~ 206.606, 328.76, 369.20, 369.22, 369.252, and 379.502.

600 Section 17. Subsection (3) of section 379.362, Florida
601 Statutes, is amended to read:

602 379.362 Wholesale and retail saltwater products dealers;
603 regulation.—

604 (3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The
605 Department of Agriculture and Consumer Services shall ~~use or~~
606 ~~distribute funds paid into the State Treasury to the credit of~~
607 ~~the General Inspection Trust Fund pursuant to s. 201.15, less~~
608 ~~reasonable costs of administration, to~~ fund the following oyster
609 management and restoration programs in Apalachicola Bay and

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610 other oyster harvest areas in the state:

611 (a) The relaying and transplanting of live oysters.

612 (b) Shell planting to construct or rehabilitate oyster
613 bars.

614 (c) Education programs for licensed oyster harvesters on
615 oyster biology, aquaculture, boating and water safety,
616 sanitation, resource conservation, small business management,
617 and other relevant subjects.

618 (d) Research directed toward the enhancement of oyster
619 production in the bay and the water management needs of the bay.

620 Section 18. Section 403.8911, Florida Statutes, is amended
621 to read:

622 403.8911 Annual appropriation from the Water Protection and
623 Sustainability Program Trust Fund.—

624 ~~(1)~~ Funds paid into the Water Protection and Sustainability
625 Program Trust Fund ~~pursuant to s. 201.15~~ are ~~hereby~~ annually
626 appropriated for expenditure for the purposes for which the
627 ~~Water Protection and Sustainability Program~~ trust fund is
628 established.

629 ~~(2)~~ If the ~~Water Protection and Sustainability Program~~
630 trust fund is not created, such funds are ~~hereby~~ annually
631 appropriated for expenditure from the Ecosystem Management and
632 Restoration Trust Fund solely for the purposes established in s.
633 403.890.

634 Section 19. Subsections (5) and (6) of section 420.5092,
635 Florida Statutes, are amended to read:

636 420.5092 Florida Affordable Housing Guarantee Program.—

637 (5) Pursuant to s. 16, Art. VII of the State Constitution,
638 the corporation may issue, in accordance with s. 420.509,

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639 revenue bonds of the corporation to establish the guarantee
640 fund. The ~~Such~~ revenue bonds are ~~shall be~~ primarily payable from
641 and secured by annual debt service reserves, from interest
642 earned on funds on deposit in the guarantee fund, from fees,
643 charges, and reimbursements established by the corporation for
644 the issuance of affordable housing guarantees, and from any
645 other revenue sources received by the corporation and deposited
646 by the corporation into the guarantee fund for the issuance of
647 affordable housing guarantees. If ~~To the extent~~ such primary
648 revenue sources are considered insufficient by the corporation,
649 pursuant to the certification provided in subsection (6), to
650 fully fund the annual debt service reserve, the certified
651 deficiency in such reserve is also ~~shall be~~ additionally payable
652 from the first proceeds of the documentary stamp tax moneys
653 deposited into the State Housing Trust Fund pursuant to s.
654 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and (10)(a)~~ during the
655 ensuing state fiscal year.

656 (6)(a) If the primary revenue sources to be used for
657 repayment of revenue bonds used to establish the guarantee fund
658 are insufficient for such repayment, the annual principal and
659 interest due on each series of revenue bonds is ~~shall be~~ payable
660 from funds in the annual debt service reserve. The corporation
661 shall, before June 1 of each year, perform a financial audit to
662 determine whether at the end of the state fiscal year there will
663 be on deposit in the guarantee fund an annual debt service
664 reserve from interest earned pursuant to the investment of the
665 guarantee fund, fees, charges, and reimbursements received from
666 issued affordable housing guarantees and other revenue sources
667 available to the corporation. Based upon the findings in such

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668 guarantee fund financial audit, the corporation shall certify to
669 the Chief Financial Officer the amount of any projected
670 deficiency in the annual debt service reserve for any series of
671 outstanding bonds as of the end of the state fiscal year and the
672 amount necessary to maintain such annual debt service reserve.
673 Upon receipt of such certification, the Chief Financial Officer
674 shall transfer to the annual debt service reserve, from the
675 first available taxes distributed to the State Housing Trust
676 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
677 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
678 certified as necessary to maintain the annual debt service
679 reserve.

680 (b) If the claims payment obligations under affordable
681 housing guarantees from amounts on deposit in the guarantee fund
682 would cause the claims paying rating assigned to the guarantee
683 fund to be less than the third-highest rating classification of
684 any nationally recognized rating service, which classifications
685 being consistent with s. 215.84(3) and rules adopted thereto by
686 the State Board of Administration, the corporation shall certify
687 to the Chief Financial Officer the amount of such claims payment
688 obligations. Upon receipt of such certification, the Chief
689 Financial Officer shall transfer to the guarantee fund, from the
690 first available taxes distributed to the State Housing Trust
691 Fund pursuant to s. 201.15(4)(c) and (d) ~~s. 201.15(9)(a) and~~
692 ~~(10)(a)~~ during the ensuing state fiscal year, the amount
693 certified as necessary to meet such obligations, such transfer
694 to be subordinate to any transfer referenced in paragraph (a)
695 and not to exceed 50 percent of the amounts distributed to the
696 State Housing Trust Fund pursuant to s. 201.15(4)(c) and (d) ~~s.~~

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697 ~~201.15(9)(a) and (10)(a)~~ during the preceding state fiscal year.

698 Section 20. Subsections (1), (2), and (3) of section
699 420.9073, Florida Statutes, are amended to read:

700 420.9073 Local housing distributions.—

701 (1) Distributions calculated in this section shall be
702 disbursed on a quarterly or more frequent basis by the
703 corporation pursuant to s. 420.9072, subject to availability of
704 funds. Each county's share of the funds to be distributed from
705 the portion of the funds in the Local Government Housing Trust
706 Fund received pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ shall be
707 calculated by the corporation for each fiscal year as follows:

708 (a) Each county other than a county that has implemented
709 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by
710 chapters 84-270, 86-152, and 89-252, Laws of Florida, shall
711 receive the guaranteed amount for each fiscal year.

712 (b) Each county other than a county that has implemented
713 ~~the provisions of~~ chapter 83-220, Laws of Florida, as amended by
714 chapters 84-270, 86-152, and 89-252, Laws of Florida, may
715 receive an additional share calculated as follows:

716 1. Multiply each county's percentage of the total state
717 population excluding the population of any county that has
718 implemented ~~the provisions of~~ chapter 83-220, Laws of Florida,
719 as amended by chapters 84-270, 86-152, and 89-252, Laws of
720 Florida, by the total funds to be distributed.

721 2. If the result in subparagraph 1. is less than the
722 guaranteed amount as determined in subsection (3), that county's
723 additional share shall be zero.

724 3. For each county in which the result in subparagraph 1.
725 is greater than the guaranteed amount as determined in

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726 subsection (3), the amount calculated in subparagraph 1. shall
727 be reduced by the guaranteed amount. The result for each such
728 county shall be expressed as a percentage of the amounts so
729 determined for all counties. Each such county shall receive an
730 additional share equal to such percentage multiplied by the
731 total funds received by the Local Government Housing Trust Fund
732 pursuant to s. 201.15(4)(c) ~~s. 201.15(9)~~ reduced by the
733 guaranteed amount paid to all counties.

734 (2) Distributions calculated in this section shall be
735 disbursed on a quarterly or more frequent basis by the
736 corporation pursuant to s. 420.9072, subject to availability of
737 funds. Each county's share of the funds to be distributed from
738 the portion of the funds in the Local Government Housing Trust
739 Fund received pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ shall be
740 calculated by the corporation for each fiscal year as follows:

741 (a) Each county shall receive the guaranteed amount for
742 each fiscal year.

743 (b) Each county may receive an additional share calculated
744 as follows:

745 1. Multiply each county's percentage of the total state
746 population, by the total funds to be distributed.

747 2. If the result in subparagraph 1. is less than the
748 guaranteed amount as determined in subsection (3), that county's
749 additional share shall be zero.

750 3. For each county in which the result in subparagraph 1.
751 is greater than the guaranteed amount, the amount calculated in
752 subparagraph 1. shall be reduced by the guaranteed amount. The
753 result for each such county shall be expressed as a percentage
754 of the amounts so determined for all counties. Each such county

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755 shall receive an additional share equal to this percentage
756 multiplied by the total funds received by the Local Government
757 Housing Trust Fund pursuant to s. 201.15(4)(d) ~~s. 201.15(10)~~ as
758 reduced by the guaranteed amount paid to all counties.

759 (3) Calculation of guaranteed amounts:

760 (a) The guaranteed amount under subsection (1) shall be
761 calculated for each state fiscal year by multiplying \$350,000 by
762 a fraction, the numerator of which is the amount of funds
763 distributed to the Local Government Housing Trust Fund pursuant
764 to s. 201.15(4)(c) ~~s. 201.15(9)~~ and the denominator of which is
765 the total amount of funds distributed to the Local Government
766 Housing Trust Fund pursuant to s. 201.15.

767 (b) The guaranteed amount under subsection (2) shall be
768 calculated for each state fiscal year by multiplying \$350,000 by
769 a fraction, the numerator of which is the amount of funds
770 distributed to the Local Government Housing Trust Fund pursuant
771 to s. 201.15(4)(d) ~~s. 201.15(10)~~ and the denominator of which is
772 the total amount of funds distributed to the Local Government
773 Housing Trust Fund pursuant to s. 201.15.

774 Section 21. Subsection (2) of s. 201.031, subsection (6) of
775 s. 339.2818, subsection (5) of s. 339.2819, subsection (3) of s.
776 339.61, subsection (6) of s. 341.051, paragraph (e) of
777 subsection (4) of s. 373.470, and subsection (1) of s. 420.9079,
778 Florida Statutes, are reenacted for the purpose of incorporating
779 the amendment made by this act to s. 201.15, Florida Statutes,
780 in references thereto.

781 Section 22. This act shall take effect July 1, 2015.