



FINANCE, TAXATION & PERSONNEL COMMITTEE

**Friday, September 8, 2023
10:00 a.m. – 2:00 p.m. EDT**

**Salon 7/8
Rosen Centre Orlando
9840 International Drive,
Orlando, Florida 32819**

FLC Staff Contact: Charles Chapman



Agenda



Finance, Taxation & Personnel Legislative Policy Committee
Friday, September 8, 2023, from 10:00 a.m. to 2:00 p.m.
Rosen Centre Orlando – Meeting Room: Salon 7/8
9840 International Drive, Orlando, Florida

AGENDA

- I.** Introduction & Opening Remarks **Chair Joe Kyles**
Mayor, City of South Bay
- II.** [FLC Policy Committee Process for 2023-2024](#)..... **Charles Chapman, FLC Staff**
- III.** Potential 2024 Priority and Policy Issues
 - A. Property Tax Issues **Charles Chapman, FLC Staff**
 - B. Enterprise Fund Transfers **Charles Chapman, FLC Staff**
 - C. Use of Infrastructure Tax **Megan Sladek**
Mayor, City of Oviedo
 - D. Tourist Development Tax **Maria Puente Mitchell**
Mayor, City of Miami Springs
- IV.** Other Business..... **Charles Chapman, FLC Staff**
- V.** Additional Information..... **Charles Chapman, FLC Staff**
 - A. [Key Legislative Dates](#)
 - B. [Home Rule Hero Criteria](#)
 - C. Key Contacts – [Click HERE to sign-up](#)
 - D. [2023 Legislative Session Final Report](#)
- VI.** Closing Remarks **Chair Joe Kyles**
Mayor, City of South Bay
- VII.** Adjournment

Breakfast and Lunch provided by the Florida League of Cities

WiFi Available
Network: Convention Wireless
Access Code: RCRGH



Committee Roster



2023-2024 Legislative Policy Committee Finance, Taxation & Personnel

Staffed by: Charles Chapman, Legislative Consultant

CHAIR:

The Honorable Joe Kyles

Mayor, City of South Bay

VICE CHAIR:

The Honorable Erik Arroyo

Commissioner, City of Sarasota

MEMBERS:

The Honorable Thom Barnhorn

Councilor, City of Seminole

The Honorable Michael Blake

Mayor, City of Cocoa

The Honorable Nancy Metayer Bowen

Commissioner, City of Coral Springs

Jennifer Bramley

City Manager, City of Dunedin

The Honorable Thomas Bronson

Council Member, City of Brooksville

Roy Brown

Budget and Finance Director, Town of
Pembroke Park

Brian Bulthuis

City Manager, City of Clermont

The Honorable Michael Cadore

Councilman, City of Rockledge

The Honorable Dennis Dawson

Councilmember, City of Mount Dora

The Honorable Brent Eden

Commissioner, City of Lake Alfred

The Honorable Judith Goldberg

Commissioner, Town of Highland
Beach

The Honorable Michael Gonzalez

Council Member, City of Clermont

The Honorable Daniel Henkel

Mayor, City of Niceville

Lori Houghton

Finance Director, City of Tavares

Patricia Jackson

City Manager, Polk City

Antonio Jefferson

City Manager, City of Gretna

The Honorable Chris Johnson

Commissioner, City of Largo

David Keller

Finance Director, City of Hollywood

Lynne Ladner

Town Manager, Town of Ocean Ridge

The Honorable Barbara Langdon

Mayor, City of North Port

John Lege

Assistant City Manager, City of Fort
Myers

Joseph Lo Bello

Town Manager, Town of Lake Clarke
Shores

The Honorable Lisa Mallozzi
Commissioner, City of Cooper City

David Margolis
City Attorney, City of Clearwater

The Honorable Kevin McCann
Mayor, City of Winter Springs

The Honorable Tradrick McCoy
Councilman, City of Riviera Beach

Christopher McCullion
Chief Financial Officer, City of Orlando

The Honorable Fernando Meza
Council Member, City of Jacksonville
Beach

The Honorable Roger Michaud
Mayor, Town of Lake Park

The Honorable Maria Mitchell
Mayor, City of Miami Springs

Stephen Okiye
Finance Director, City of Port St. Lucie

The Honorable Bill Partington
Mayor, City of Ormond Beach

Leslie Porter
City Manager, City of Dade City

The Honorable Ed Potts
Commissioner, City of Alachua

The Honorable Mike Radzik
Council Member, City of Groveland

Francine Ramaglia
Town Manager, Town of Loxahatchee
Groves

The Honorable Jacquelyn Randall
Mayor, City of Hawthorne

The Honorable Gary Ready
Councilmember, Village of Palm
Springs

Brittany Retherford
Assistant City Manager, City of Satellite
Beach

Suzanne Sherman
City Manager, City of Palm Bay

The Honorable Megan Sladek
Mayor, City of Oviedo

The Honorable Vernel Smith
Commissioner, Haines City

The Honorable Fortuna Smukler
Commissioner, City of North Miami
Beach

Rebecca Spuhler
Finance Director, City of Largo

The Honorable Johnny Streets Jr.
Councilmember, City of Fort Myers

Kelly Strickland
Finance Director, City of Sarasota

Debra Sullivan
City Administrator, City of Belleair
Bluffs

Doug Thomas
Executive VP of Recruitment, Strategic
Government Resources, Business
Watch

Darrel Thomas
Assistant City Manager/CFO, City of
Weston

Andrew Thompson
Chief Financial Officer, City of Oakland
Park

Ann Toney-Deal

City Manager, City of Seminole

The Honorable Bobby Wagner

Mayor, City of Destin

Nick Walsh

Comptroller, City of Satellite Beach

The Honorable Kathy Washington

Councilwoman, Town of Welaka

The Honorable Judy Wertz Strickland

Councilmember, City of Arcadia

The Honorable Robert Yaffe

Council Member, Town of Bay Harbor
Islands

The Honorable Brian Yates

Commissioner, City of Winter Haven

The Honorable Molly Young

Mayor, Village of Tequesta



Policy Development Process



2023-2024 FLC Legislative Policy Process

The Florida League of Cities' (FLC's) Charter and Bylaws specify that the League shall engage only on legislation that pertains directly to "municipal affairs." "Municipal affairs" refers to issues that directly pertain to the governmental, corporate and proprietary powers to conduct municipal government, perform municipal functions, render municipal services and raise and expend revenues. Protecting Florida's cities from egregious far-reaching attacks on Home Rule powers will always be the top priority.

Each year, municipal officials from across the state volunteer to serve on the League's legislative policy committees. Appointments are a one-year commitment and involve developing the League's Legislative Platform. The Legislative Platform addresses priority issues of statewide interest that will most likely affect daily municipal governance and local decision-making during the upcoming legislative session.

Policy committee members also help League staff understand the real-world implications of proposed legislation, and they are asked to serve as advocates throughout the year. To get a broad spectrum of ideas and better understand the impact of League policy proposals on rural, suburban and urban cities of all sizes, it is ideal that each of Florida's cities be represented on one or more of the legislative policy committees.

The Florida Legislature convenes the 2024 Legislative Session on January 9. The League's legislative policy committee meetings commence in September 2023 and meet three times.

There are currently five standing **legislative policy committees**:

Finance, Taxation and Personnel Committee: This committee addresses municipal roles in general finance and tax issues, Home Rule revenues, infrastructure funding, insurance, local option revenues, pension issues, personnel and collective bargaining issues, revenue sharing, tax and budget reform, telecommunications and workers' compensation.

Land Use and Economic Development Committee: This committee addresses policies specific to municipal concerns with community redevelopment, economic development, growth management and land use planning issues, annexation, eminent domain, tort liability, property rights and ethics.



Municipal Administration Committee: This committee addresses municipal concerns with code enforcement, elections, emergency management, gaming, homeland security, public meetings, public property management, public records, public safety and procurement, charter counties and special districts.

Transportation and Intergovernmental Relations Committee: This committee addresses municipal concerns relating to transportation and highway safety, as well as aviation, affordable housing (and homelessness), billboards, building codes, charter schools, rights-of-way and veterans affairs.

Utilities, Natural Resources and Public Works Committee: This committee addresses policies specific to municipal concerns with coastal management, energy, environmental and wetlands permitting, hazardous and toxic wastes, recycling, solid waste collection and disposal, stormwater, wastewater treatment and reuse, water management and water quality and quantity.

At the last meeting, each of the five policy committees adopts ONE legislative priority that will be submitted to the Legislative Committee. The Legislative Committee is composed of:

- ▶ Each legislative policy committee chair and the chairs of the other standing committees
- ▶ The president of each local and regional league
- ▶ The presidents of several other municipal associations
- ▶ Chairs of the municipal trust boards
- ▶ Several at-large members appointed by the League President.

The policy priorities, as adopted by the Legislative Committee, are then recommended to the general membership for approval as the League's Legislative Platform.



In addition, a legislative policy committee may, but is not required to, recommend ONE policy position related to other relevant legislative issues. The policy position must satisfy the same criteria above for legislative priorities. The recommended policy position will be considered by the Legislative Committee. If favorably considered by that committee, it will be considered by the general membership. If adopted by the general membership, the policy position may be published and communicated to legislators and others, as appropriate.

Due to Sunshine Law issues, only one elected official per city can be represented on a committee, but a city could have an elected and a non-elected city official on each of the five policy committees. Appointments are made by the League President based upon a city official's support and advocacy of the Legislative Action Platform and participation at meetings, Legislative Action Days and other legislative-related activities.

2023 Legislative Policy Committee Meeting Dates

- ▶ September 8, 2023, 10:00 a.m. to 2:00 p.m. at the Rosen Centre Orlando, 9840 International Drive, Orlando, FL 32819
- ▶ October 6, 2023, 10:00 a.m. to 2:00 p.m. at the Gaylord Palms Resort & Convention Center, 6000 West Osceola Parkway, Kissimmee, FL 34746.
- ▶ November 30, 2023, during the FLC Legislative Conference at the Hilton Orlando, 6001 Destination Parkway, Orlando, FL 32819.

If you are interested in serving or learning more, please contact Mary Edenfield at 850.701.3624 or medenfield@flcities.com.





Property Tax Issues

Ad Valorem Tax

Article VII, Section 9, Florida Constitution
Chapters 192-197 and 200, Florida Statutes

Summary:

The ability of local governments to raise revenue for governmental operations is limited by the state constitution.

Counties, school districts, and municipalities shall, and special districts may, be authorized by law to levy ad valorem taxes and may be authorized by general law to levy other taxes, for their respective purposes, except ad valorem taxes on intangible personal property and taxes prohibited by this constitution.¹

Ad valorem taxes, exclusive of taxes levied for the payment of bonds and taxes levied for periods not longer than two years when authorized by vote of the electors who are the owners of freeholds therein not wholly exempt from taxation, shall not be levied in excess of the following millages upon the assessed value of real estate and tangible personal property: for all county purposes, ten mills; for all municipal purposes, ten mills; for all school purposes, ten mills; for water management purposes for the northwest portion of the state lying west of the line between ranges two and three east, 0.05 mill; for water management purposes for the remaining portions of the state, 1.0 mill; and for all other special districts a millage authorized by law approved by vote of the electors who are owners of freeholds therein not wholly exempt from taxation. A county furnishing municipal services may, to the extent authorized by law, levy additional taxes within the limits fixed for municipal purposes.²

With the exception of the ad valorem tax and constitutionally and statutorily authorized home-rule revenue sources (i.e., fees and assessments), local governments are dependent on the Legislature for the authority to levy other forms of taxation. Therefore, the relative importance of the ad valorem tax as a local government revenue source is increased.

To summarize, local governments may levy ad valorem taxes subject to the following limitations.

1. Ten mills for county purposes.
2. Ten mills for municipal purposes.
3. Ten mills for school purposes.
4. A millage fixed by law for a county furnishing municipal services.
5. A millage authorized by law and approved by voters for special districts.

As mentioned, the state constitution provides two exceptions to the ten-mill cap. The exceptions include a voted debt service millage and a voted millage not to exceed a period of two years. Additionally, no property may be subject to more than twenty mills of ad valorem tax for municipal and county purposes without elector approval, regardless of the property's location, under the state constitution. Duval County-City of Jacksonville is a consolidated government; therefore, it has a twenty-mill cap since it operates as both a county and municipal government.

1. Article VII, s. 9(a), Fla. Const.

2. Article VII, s. 9(b), Fla. Const.

County Millages:

County government millages are composed of four categories of millage rates.³

1. County general millage is the nonvoted millage rate set by the county's governing body.
2. County debt service millage is the rate necessary to raise taxes for debt service as authorized by a vote of the electors pursuant to Article VII, s. 12, Fla. Const.
3. County voted millage is the rate set by the county's governing body as authorized by a vote of the electors pursuant to Article VII, s. 9(b), Fla. Const.
4. County dependent special district millage is set by the county's governing body pursuant to s. 200.001(5), F.S., and added to the county's millage to which the district is dependent. A dependent special district is defined as a special district that meets at least one of four criteria specified in law.⁴

County Furnishing Municipal Services:

General law implements the constitutional provision authorizing a county furnishing municipal services to levy additional taxes within the limits fixed for municipal purposes via the establishment of municipal service taxing or benefit units.⁵ The distinction between a municipal service taxing unit (MSTU) and a municipal service benefit unit (MSBU) is that a MSTU is the correct terminology when the mechanism used to fund the county services is derived through taxes rather than service charges or special assessments (i.e., MSBU). The MSTU may encompass the entire unincorporated area, a portion of the unincorporated area, or all or part of the boundaries of a municipality. However, the inclusion of municipal boundaries within the MSTU is subject to the consent by ordinance of the governing body of the affected municipality given either annually or for a term of years.

The creation of a MSTU allows the county's governing body to place the burden of ad valorem taxes upon property in a geographic area that is less than countywide in order to fund municipal-type services. The MSTU is used in a county budget to separate those ad valorem taxes levied within the taxing unit itself to ensure that the funds derived from the tax levy are used within the boundaries of the taxing unit for the contemplated services. If ad valorem taxes are levied to provide these municipal services, counties may levy up to ten mills.⁶

Municipal Millages:

Municipal government millages are composed of four categories of millage rates.⁷

1. Municipal general millage is the nonvoted millage rate set by the municipality's governing body.
2. Municipal debt service millage is the rate necessary to raise taxes for debt service as authorized by a vote of the electors pursuant to Article VII, s. 12, Fla. Const.
3. Municipal voted millage is the rate set by the municipality's governing body as authorized by a vote of the electors pursuant to Article VII, s. 9(b), Fla. Const.
4. Municipal dependent special district millage is set by the municipality's governing body pursuant to s. 200.001(5), F.S., and added to the municipality's millage to which the district is dependent and included as municipal millage for the purpose of the ten-mill cap.

3. Section 200.001(1), F.S.

4. Section 189.012(2), F.S.

5. Section 125.01(1)(q), F.S.

6. Section 200.071(3), F.S.

7. Section 200.001(2), F.S.

School District Millages:

As previously stated, the state constitution restricts the levy of nonvoted ad valorem tax levies for school purposes to ten mills.⁸ The voted levies, which are constitutionally available to counties and municipalities as well as school districts, do not count toward the ten-mill cap. School district millage rates are composed of five categories.⁹

1. Nonvoted required school operating millage necessary to meet Required Local Effort (RLE) is determined by the Commissioner of Education and set by the school board. For operating purposes, it is imposed pursuant to s. 1011.60(6), F.S., and reflects the minimum financial effort required for support of the Florida Education Finance Program (FEFP) as prescribed in the current year's General Appropriations Act.
2. Nonvoted discretionary school operating millage is the rate set by the school board for operating purposes other than the required local effort millage rate imposed pursuant to s. 1011.60(6), F.S., and the nonvoted capital improvement millage rate imposed pursuant to s. 1011.71(2), F.S. The Legislature annually prescribes in the appropriations act the maximum amount of millage a district may levy.¹⁰
3. Nonvoted district school capital improvement millage is the rate set by the school board for capital improvements as authorized in s. 1011.71(2), F.S. General law limits the maximum rate at 1.5 mills.¹¹ However, a district school board is authorized to levy an additional millage of up to 0.25 mills for fixed capital outlay under certain circumstances.¹²
4. Voted district school operating millage is the rate set by the school board for current operating purposes as authorized by a vote of the electors pursuant to Section 9(b), Art. VII, State Constitution.
5. Voted district school debt service millage is the rate set by the school board as authorized by a vote of the electors pursuant to Section 12, Art. VII, State Constitution.

The Florida Department of Education's *2021-22 Funding for Florida School Districts*, provides an overview of school district funding and discussion of school district millages.¹³

Independent Special District Millages:

Independent special district millages are the rates set by the district's governing body, and the following issues must be addressed.¹⁴

1. Whether the millage authorized by a special act is approved by the electors pursuant to Article VII, s. 9(b), Fla. Const.; authorized pursuant to Article XII, s. 15, Fla. Const.; or otherwise authorized.
2. Whether the tax is to be levied countywide, less than countywide, or on a multicounty basis.

8. Counties, municipalities, and school districts may levy taxes in excess of the ten-mill limit to pay bonds or for periods no longer than two years when authorized by a vote of the electorate, pursuant to Article VII, s. 9(b), Fla. Const. In addition to the maximum millage levied pursuant to s. 1011.71, F.S., and the General Appropriations Act, a school district may levy, by local referendum or in a general election, additional millage for school operational purposes up to an amount that, when combined with nonvoted millage levied under this section, does not exceed the 10-mill limit established in Article VII, s. 9(b), Fla. Const. Any such levy shall be for a maximum of 4 years and shall be counted as part of the 10-mill limit.

9. Section 200.001(3), F.S.

10. Section 1011.71(1), F.S.

11. Section 1011.71(2), F.S.

12. Section 1011.71(3), F.S.

13. <https://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>

14. Section 200.001(4), F.S.

Adjustments to the Tax Base:

The ad valorem taxable base is the fair market value of locally assessed real estate, tangible personal property, and state assessed railroad property, less certain exclusions, differentials, exemptions, credits and deferrals.¹⁵ Intangible personal property is excluded because it is separately assessed and taxed by the state. Exclusions are specific types of property constitutionally or statutorily removed from ad valorem taxation. Differentials are reductions in assessments that result from a valuation standard other than fair market value. Exemptions are deductions from the assessed value that are typically specified as a dollar amount (e.g., homestead exemption of \$25,000). Credits are deductions from the tax liability of a particular taxpayer and may take the form of allowances, discounts, and rebates. Deferrals allow for changes in the timing of payments but do not reduce the taxpayer’s overall tax liability.

General Law Amendments:

The list below represents the legislation enacted during the 2022 Regular Legislative Session that amended provisions in one or more of the following chapters of the Florida Statutes, which address the ad valorem tax, its administration, and other relevant issues: Chapter 192, general provisions of taxation; Chapter 193, assessments; Chapter 194, administrative and judicial review of property taxes; Chapter 195, administration of property assessments; Chapter 196, exemptions; Chapter 197, tax collections, sales, and liens; and Chapter 200, determination of millage. These chapter laws are available via the Department of State’s Division of Elections website.¹⁶

| <u>Chapter Law #</u> | <u>Subject</u> |
|----------------------|---|
| 2022-97 | Taxation |
| 2022-103 | Legal Notices |
| 2022-214 | Local Tax Referenda Requirements |
| 2022-219 | Homestead Property Tax Exemptions for Certain Individuals |

Eligibility Requirements:

Florida’s constitution authorizes counties, municipalities, and school districts to levy ad valorem taxes. At its discretion, the Legislature may authorize special districts to levy ad valorem taxes. Millage rates are fixed only by ordinance or resolution of the taxing authority’s governing body in the manner specifically provided by general law or special law.¹⁷ Millage rates vary among local governments subject to constitutional, statutory, and political limitations.

Administrative Procedures:

The DOR and units of local government administer the ad valorem tax. Two county constitutional officers, the property appraiser and tax collector, have primary responsibility for the administration and collection of ad valorem taxes at the local level. The property appraiser is charged with determining the fair market value, the assessed value, and the values of applicable exemptions to arrive at the taxable value of all property within the county, pursuant to constitutional and statutory requirements. The property appraiser is also tasked with maintaining appropriate records related to the valuation of such property. The tax collector is charged with the collection of ad valorem taxes levied by the county, school district, all municipalities within the county, and any special taxing districts within the county.

15. See the Florida Revenue Estimating Conference’s *2022 Florida Tax Handbook Including Fiscal Impact of Potential Change*, pp. 203-217 at <http://edr.state.fl.us/Content/revenues/reports/tax-handbook/taxhandbook2022.pdf> for additional detail.

16. <http://laws.flrules.org/>

17. Section 200.001(7), F.S.

The DOR has general supervision of the assessment and valuation of property so that all property is placed on the tax rolls and valued according to its just valuation. Additionally, the DOR prescribes and furnishes all forms as well as prescribes rules and regulations to be used by property appraisers, tax collectors, clerks of circuit court, and value adjustment boards in administering and collecting ad valorem taxes.

Distribution of Proceeds:

The tax collector distributes taxes to each taxing authority.¹⁸

Authorized Uses:

Ad valorem taxes are considered general revenue for general-purpose local governments (i.e., county, municipality, or consolidated city-county government) as well as for school districts. An independent special district may be restricted in the expenditure of the revenue for the purpose associated with the district's creation. If ad valorem taxes are levied within a municipal service taxing unit (MSTU), the expenditure of those funds may be restricted to those services specified in s. 125.01(1)(q), F.S.

Attorney General Opinions:

Florida's Attorney General has issued hundreds of legal opinions relevant to this revenue source. The full texts of those opinions are available via the searchable on-line database of legal opinions.¹⁹ Interested persons may view the opinions by accessing the website and performing a search using the keyword phrase *ad valorem tax*. Local government officials seeking more clarification should review the opinions in their entirety. The reader should keep the date of the opinion in mind when reviewing its relevance to current law or any interpretations that have been articulated in Florida case law.

Prior Years' Revenues:

The DOR annually publishes online its *Florida Property Valuations & Tax Data*, which details property valuations and tax data by local jurisdiction.²⁰ Using data obtained from these annual reports, several summaries that profile historical millage rates and ad valorem taxes levied by counties, municipalities, and school districts have been compiled.²¹

18. Section 197.383, F.S.

19. <http://myfloridalegal.com/ago.nsf/Opinions>

20. http://floridarevenue.com/property/Pages/DataPortal_DataBook.aspx

21. <http://edr.state.fl.us/Content/local-government/data/data-a-to-z/index.cfm>

**Revenue Estimating Conference
Ad Valorem Assessments
August 1, 2023
Executive Summary**

Estimates of the statewide property tax roll are primarily used in the appropriations process to calculate the Required Local Effort (RLE) millage rates. These are the expected rates local school districts must levy in order to generate the required local funding for participation in the Florida Education Finance Program. The 2023 certified school taxable value came in at \$3,367.19 billion or \$80.89 billion (2.5%) higher than expected. Based largely on this new information, the Revenue Estimating Conference has updated its ad valorem forecast for 2024. The new projection is \$3,474.08 billion, which is \$78.59 billion (2.3%) higher than the previous estimate for 2024 adopted in March 2023. At 96 percent, the value of one mill is now projected to be \$3,335.12 million.

Conditions in Florida’s housing market are still important to the overall forecast, but they are not the singular driving factors they once were. The 2023 appreciation across all property types came in at 15.27%. Although this is lower than the 24.96% seen in 2022, double digit growth rates are considered abnormally high. The Conference expects appreciation to drop to the low single digits in all of the forecasted years. Just as record low interest rates brought on the 2021 and 2022 buying surge, tightening monetary policy and elevated mortgage rates have already started to halt the spree—introducing a dampening effect on price increases or even price decreases. Expected appreciation in 2024 declines to 0.99% and then modestly increases to 2.19% in 2025. This expectation is in line with the forecast adopted by the Florida Economic Estimating Conference.

County (non-school) taxable value is lower than school taxable value due to the greater number of exemptions available to property owners. In recent years, the Revenue Estimating Conference has been forecasting county taxable value separately from school taxable value. County taxable value on January 1, 2023 came in at \$2,920.64 billion. The new projection for 2024 is \$3,088.04 billion. This represents a year-over-year increase of \$167.41 billion or a 5.73 percent increase from the 2023 actual. The revised estimate is \$45.09 billion lower than the previous estimate for 2024 adopted in March 2023.

July 1, 2024 Certified School Taxable Value

| <i>(billions of dollars)</i> | Actual July 1, 2023 Certified School Taxable Value | March 2023 Estimate of July 1, 2024 Certified School Taxable Value | August 2023 Estimate of July 1, 2024 Certified School Taxable Value | Change in Estimates (August. 23 vs Mar. 23) | Change from 2023 Actual | Percentage Change from 2023 Actual |
|--|--|--|---|--|-------------------------|---------------------------------------|
| School Taxable Value | 3,367.19 | 3,395.50 | 3,474.08 | 78.59 | 106.90 | 3.17% |
| Real Property | 3,197.27 | 3,242.50 | 3,297.25 | 54.75 | 99.98 | 3.13% |
| Personal Property | 167.97 | 161.04 | 174.81 | 13.77 | 6.85 | 4.08% |
| Centrally Assessed Property | 1.95 | 2.05 | 2.02 | -0.03 | 0.07 | 3.50% |
| Projectd VAB | 0.00 | -10.10 | 0.00 | 10.10 | 0.00 | n/a |
| Value of one mill at 96 percent | 3.23 | 3.26 | 3.34 | 0.08 | 0.10 | 3.17% |

**Total school taxable value includes Value Adjustment Board changes and other tax roll adjustments. Components may not add up to the total.*

January 1, 2024 County Taxable Value

| <i>(billions of dollars)</i> | Actual January 1, 2023 County Taxable Value | March 2023 Estimate of January 1, 2024 County Taxable Value | August 2023 Estimate of January 1, 2024 County Taxable Value | Change in Estimates (August. 23 vs Mar. 23) | Change from 2023 Actual | Percentage Change from 2023 Actual |
|------------------------------|--|---|--|--|-------------------------|---------------------------------------|
| County Taxable Value | 2,920.64 | 3,133.13 | 3,088.04 | -45.09 | 167.41 | 5.73% |
| Real Property | 2,750.72 | 2,980.14 | 2,911.21 | -68.92 | 160.49 | 5.83% |
| Personal Property | 167.97 | 161.04 | 174.81 | 13.77 | 6.85 | 4.08% |
| Centrally Assessed Property | 1.95 | 2.05 | 2.02 | -0.03 | 0.07 | 3.50% |
| Projected VAB | 0.00 | -10.10 | 0.00 | 10.10 | 0.00 | n/a |

**Total county taxable value includes Value Adjustment Board changes and other tax roll adjustments. Components may not add up to the total.*

| CERTIFIED SCHOOL TAXABLE VALUE GROWTH RATES | | |
|--|------------|------------|
| Year | March 2023 | March 2023 |
| 2023 | 12.03% | 14.79% |
| 2024 | 3.32% | 3.17% |
| 2025 | 6.67% | 5.14% |
| 2026 | 6.16% | 5.53% |
| 2027 | 5.52% | 5.51% |
| 2028 | 5.39% | 5.32% |
| 2029 | n/a | 5.03% |



Property Tax Protection

Policy Position Statement:

The Florida League of Cities SUPPORTS legislation that maintains an equitable property tax system while preserving a municipality's ability to fund public infrastructure, police, fire, emergency services and other essential services. Any further erosions and/or exemptions on the current property tax structure will unfairly shift the tax burden to the business community, renters and others.

Background:

General

People are moving to Florida because of the quality of life our cities provide and the strong local economies made possible by prudent infrastructure investments funded in part by property tax revenues, which are the primary source of revenue for Florida's cities, counties and school districts. With this influx of people moving to Florida, housing demand is outstripping the supply, thus driving up the price. Other factors, such as the number of available units in a particular market, the cost of construction, land procurement costs, interest rates and a variety of other factors, ultimately impact property values. Over the past several years, most of the factors have driven the costs of housing and assessed values ever higher. As property values increase, so does the assessed value of these properties. However, even as the assessed value of property increases, Florida's constitution limits the growth in property tax collections to 3% for homestead properties and 10% for all other properties. This built-in relief valve helps keep property tax increases in check. At the same time, costs to provide services to citizens continue to grow, even when the level of services is the same. Florida's cities are doing more with less, and we believe further erosion of the current property tax structure will unfairly shift the tax burden to the business community, renters and others.

2008 Florida Constitutional Amendment – Amendment 1

On January 29, 2008, Florida voters approved Amendment 1 to the state constitution, which included provisions that double the homestead exemption, allow for portability of the Save Our Homes (SOH) assessment differential, provide an exemption for tangible personal property and provide a 10% assessment cap for non-homestead property.

2022 Florida Constitutional Amendment – Amendment 3

On November 8, 2022, Amendment 3 received 58.7% of the vote, a mere 1.3% below the 60% threshold necessary to revise Florida's constitution. If it had passed, Amendment 3 would have

Contact: Charles Chapman, FLC Consultant – cchapman@flcities.com

authorized the Florida Legislature to provide an additional homestead property tax exemption of \$50,000 on the assessed value between \$100,000 and \$150,000, and it would have exempted that amount from all taxes other than school district taxes for homesteaded property owned by certain public service workers. Public service workers eligible for the additional exemption would have included K-12 classroom teachers, law enforcement officers, EMTs, firefighters, paramedics, active-duty members of the national military and Florida National Guard and state child welfare service employees. The fiscal impacts of the exemption were not fully known as it was not clear how many eligible individuals would have taken advantage of the proposed tax relief.

Constitutional Amendment: Revised Limitation on Increases of Homestead Property Tax Assessments (Oppose)

SJR 122 (Avila) and **HJR 469** (Fernandez-Barquin) would have reduced the limitation on annual increases of homestead property tax assessments from 3% to 2%. SJR 122 and HJR 469 were constitutional amendments and would have required the approval of the Florida Legislature and the voters of Florida. (Chapman)

FOR IMMEDIATE RELEASE
February 2, 2023

CONTACT: Yohana de la Torre
(239) 896-4695

**Rep. Juan Fernandez-Barquin Files Legislation to Revise Limitation
on Increases of Annual Homestead Property Tax Assessments**

TALLAHASSEE, FL- Today, Representative Juan Fernandez-Barquin (R-Miami Dade) released the following statement on HB 469/HB 471 Revised Limitation on Increases of Homestead Property Tax Assessments:

“Property prices are through the roof in Florida, stifling the middle class that is already being crushed by rampant inflation. Our state permits a limited exemption for homestead property, which is usually based on the assessed value of said land. However, because of rising property values, residents who own their own home could truly benefit in the long run by lowering the amount your property tax assessment can increase from 3% to 2%. I ran on a platform of smaller government, tax reduction and fiscal responsibility, and this bill does just that— keeps more money in the pockets of hardworking Floridians,” said Rep. Fernandez-Barquin.

HB 469/HB 471 Revised Limitation on Increases of Homestead Property Tax Assessments seeks to propose an amendment to the State Constitution to revise limitation on annual increases of homestead property tax assessments, and shall be submitted to the electors of the Sunshine State for approval or rejection in the next general or special election.

###

House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VII and the creation of a new section in Article XII of the State Constitution to revise the limitation on annual increases of homestead property tax assessments and to provide an effective date.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 4 of Article VII and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 4. Taxation; assessments.—By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers, or land used exclusively for noncommercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) As provided by general law and subject to conditions,

26 | limitations, and reasonable definitions specified therein, land
 27 | used for conservation purposes shall be classified by general
 28 | law and assessed solely on the basis of character or use.

29 | (c) Pursuant to general law tangible personal property
 30 | held for sale as stock in trade and livestock may be valued for
 31 | taxation at a specified percentage of its value, may be
 32 | classified for tax purposes, or may be exempted from taxation.

33 | (d) All persons entitled to a homestead exemption under
 34 | Section 6 of this Article shall have their homestead assessed at
 35 | just value as of January 1 of the year following the effective
 36 | date of this amendment. This assessment shall change only as
 37 | provided in this subsection.

38 | (1) Assessments subject to this subsection shall be
 39 | changed annually on January 1st of each year; but those changes
 40 | in assessments shall not exceed the lower of the following:

41 | a. Two ~~Three~~ percent (2%) ~~(3%)~~ of the assessment for the
 42 | prior year.

43 | b. The percent change in the Consumer Price Index for all
 44 | urban consumers, U.S. City Average, all items 1967=100, or
 45 | successor reports for the preceding calendar year as initially
 46 | reported by the United States Department of Labor, Bureau of
 47 | Labor Statistics.

48 | (2) No assessment shall exceed just value.

49 | (3) After any change of ownership, as provided by general
 50 | law, homestead property shall be assessed at just value as of

51 | January 1 of the following year, unless the provisions of
 52 | paragraph (8) apply. Thereafter, the homestead shall be assessed
 53 | as provided in this subsection.

54 | (4) New homestead property shall be assessed at just value
 55 | as of January 1st of the year following the establishment of the
 56 | homestead, unless the provisions of paragraph (8) apply. That
 57 | assessment shall only change as provided in this subsection.

58 | (5) Changes, additions, reductions, or improvements to
 59 | homestead property shall be assessed as provided for by general
 60 | law; provided, however, after the adjustment for any change,
 61 | addition, reduction, or improvement, the property shall be
 62 | assessed as provided in this subsection.

63 | (6) In the event of a termination of homestead status, the
 64 | property shall be assessed as provided by general law.

65 | (7) The provisions of this amendment are severable. If any
 66 | of the provisions of this amendment shall be held
 67 | unconstitutional by any court of competent jurisdiction, the
 68 | decision of such court shall not affect or impair any remaining
 69 | provisions of this amendment.

70 | (8)a. A person who establishes a new homestead as of
 71 | January 1 and who has received a homestead exemption pursuant to
 72 | Section 6 of this Article as of January 1 of any of the three
 73 | years immediately preceding the establishment of the new
 74 | homestead is entitled to have the new homestead assessed at less
 75 | than just value. The assessed value of the newly established

76 | homestead shall be determined as follows:

77 | 1. If the just value of the new homestead is greater than
 78 | or equal to the just value of the prior homestead as of January
 79 | 1 of the year in which the prior homestead was abandoned, the
 80 | assessed value of the new homestead shall be the just value of
 81 | the new homestead minus an amount equal to the lesser of
 82 | \$500,000 or the difference between the just value and the
 83 | assessed value of the prior homestead as of January 1 of the
 84 | year in which the prior homestead was abandoned. Thereafter, the
 85 | homestead shall be assessed as provided in this subsection.

86 | 2. If the just value of the new homestead is less than the
 87 | just value of the prior homestead as of January 1 of the year in
 88 | which the prior homestead was abandoned, the assessed value of
 89 | the new homestead shall be equal to the just value of the new
 90 | homestead divided by the just value of the prior homestead and
 91 | multiplied by the assessed value of the prior homestead.
 92 | However, if the difference between the just value of the new
 93 | homestead and the assessed value of the new homestead calculated
 94 | pursuant to this sub-subparagraph is greater than \$500,000, the
 95 | assessed value of the new homestead shall be increased so that
 96 | the difference between the just value and the assessed value
 97 | equals \$500,000. Thereafter, the homestead shall be assessed as
 98 | provided in this subsection.

99 | b. By general law and subject to conditions specified
 100 | therein, the legislature shall provide for application of this

101 paragraph to property owned by more than one person.

102 (e) The legislature may, by general law, for assessment
 103 purposes and subject to the provisions of this subsection, allow
 104 counties and municipalities to authorize by ordinance that
 105 historic property may be assessed solely on the basis of
 106 character or use. Such character or use assessment shall apply
 107 only to the jurisdiction adopting the ordinance. The
 108 requirements for eligible properties must be specified by
 109 general law.

110 (f) A county may, in the manner prescribed by general law,
 111 provide for a reduction in the assessed value of homestead
 112 property to the extent of any increase in the assessed value of
 113 that property which results from the construction or
 114 reconstruction of the property for the purpose of providing
 115 living quarters for one or more natural or adoptive grandparents
 116 or parents of the owner of the property or of the owner's spouse
 117 if at least one of the grandparents or parents for whom the
 118 living quarters are provided is 62 years of age or older. Such a
 119 reduction may not exceed the lesser of the following:

120 (1) The increase in assessed value resulting from
 121 construction or reconstruction of the property.

122 (2) Twenty percent of the total assessed value of the
 123 property as improved.

124 (g) For all levies other than school district levies,
 125 assessments of residential real property, as defined by general

126 law, which contains nine units or fewer and which is not subject
 127 to the assessment limitations set forth in subsections (a)
 128 through (d) shall change only as provided in this subsection.

129 (1) Assessments subject to this subsection shall be
 130 changed annually on the date of assessment provided by law; but
 131 those changes in assessments shall not exceed ten percent (10%)
 132 of the assessment for the prior year.

133 (2) No assessment shall exceed just value.

134 (3) After a change of ownership or control, as defined by
 135 general law, including any change of ownership of a legal entity
 136 that owns the property, such property shall be assessed at just
 137 value as of the next assessment date. Thereafter, such property
 138 shall be assessed as provided in this subsection.

139 (4) Changes, additions, reductions, or improvements to
 140 such property shall be assessed as provided for by general law;
 141 however, after the adjustment for any change, addition,
 142 reduction, or improvement, the property shall be assessed as
 143 provided in this subsection.

144 (h) For all levies other than school district levies,
 145 assessments of real property that is not subject to the
 146 assessment limitations set forth in subsections (a) through (d)
 147 and (g) shall change only as provided in this subsection.

148 (1) Assessments subject to this subsection shall be
 149 changed annually on the date of assessment provided by law; but
 150 those changes in assessments shall not exceed ten percent (10%)

151 of the assessment for the prior year.

152 (2) No assessment shall exceed just value.

153 (3) The legislature must provide that such property shall
154 be assessed at just value as of the next assessment date after a
155 qualifying improvement, as defined by general law, is made to
156 such property. Thereafter, such property shall be assessed as
157 provided in this subsection.

158 (4) The legislature may provide that such property shall
159 be assessed at just value as of the next assessment date after a
160 change of ownership or control, as defined by general law,
161 including any change of ownership of the legal entity that owns
162 the property. Thereafter, such property shall be assessed as
163 provided in this subsection.

164 (5) Changes, additions, reductions, or improvements to
165 such property shall be assessed as provided for by general law;
166 however, after the adjustment for any change, addition,
167 reduction, or improvement, the property shall be assessed as
168 provided in this subsection.

169 (i) The legislature, by general law and subject to
170 conditions specified therein, may prohibit the consideration of
171 the following in the determination of the assessed value of real
172 property:

173 (1) Any change or improvement to real property used for
174 residential purposes made to improve the property's resistance
175 to wind damage.

176 (2) The installation of a solar or renewable energy source
 177 device.

178 (j)(1) The assessment of the following working waterfront
 179 properties shall be based upon the current use of the property:

180 a. Land used predominantly for commercial fishing
 181 purposes.

182 b. Land that is accessible to the public and used for
 183 vessel launches into waters that are navigable.

184 c. Marinas and drystacks that are open to the public.

185 d. Water-dependent marine manufacturing facilities,
 186 commercial fishing facilities, and marine vessel construction
 187 and repair facilities and their support activities.

188 (2) The assessment benefit provided by this subsection is
 189 subject to conditions and limitations and reasonable definitions
 190 as specified by the legislature by general law.

191 ARTICLE XII

192 SCHEDULE

193 Revised limitation on increases of homestead property tax
 194 assessments.—The amendment to Section 4 of Article VII revising,
 195 from 3 percent to 2 percent, the limitation on an annual
 196 increase of a homestead property tax assessment when such
 197 percentage is lower than the percent change in the Consumer
 198 Price Index for all urban consumers for the preceding calendar
 199 year shall take effect January 1, 2025.

200 BE IT FURTHER RESOLVED that the following statement be

HJR 469

2023

201 placed on the ballot:

202 CONSTITUTIONAL AMENDMENT

203 ARTICLE VII, SECTION 4

204 ARTICLE XII

205 REVISED LIMITATION ON INCREASES OF HOMESTEAD PROPERTY TAX
 206 ASSESSMENTS.—Proposing an amendment to the State Constitution to
 207 revise, from 3 percent to 2 percent, the limitation on an annual
 208 increase of a homestead property tax assessment when such
 209 percentage is lower than the percent change in the Consumer
 210 Price Index for all urban consumers for the preceding calendar
 211 year. If approved, this amendment shall take effect January 1,
 212 2025.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HJR 469 Revised Limitation on Increases of Homestead Property Tax Assessments

SPONSOR(S): Ways & Means Committee, Fernandez-Barquin and others

TIED BILLS: HB 471 **IDEN./SIM. BILLS:** SJR 122

| REFERENCE | ACTION | ANALYST | STAFF DIRECTOR or BUDGET/POLICY CHIEF |
|---|-----------|---------|---------------------------------------|
| 1) Ways & Means Committee | 13 Y, 8 N | McCain | Aldridge |
| 2) Local Administration, Federal Affairs & Special Districts Subcommittee | | | |
| 3) State Affairs Committee | | | |

SUMMARY ANALYSIS

The Florida Constitution reserves ad valorem taxation to local governments and prohibits the state from levying ad valorem taxes on real and tangible personal property. Ad valorem taxes are annual taxes levied by counties, cities, school districts, and certain special districts. These taxes are based on the just or fair market value of real and tangible personal property as determined by county property appraisers on January 1 of each year. The just value may be subject to limitations, such as the “save our homes” limitation on homestead property assessment increases. The “Save Our Homes” assessment limitation limits any increase in the annual assessment of homestead property to 3% of the assessment for the prior year or the percent change in the Consumer Price Index, whichever is lower. When there is a change in ownership or control of homestead property, the assessment is not limited by the assessed value of the previous year and it is reassessed at just value.

This joint resolution proposes to amend Section 4(d)(1) of Article VII of the Florida Constitution to reduce the maximum increase of the annual assessment of homestead property under the Save Our Homes assessment limitation from 3% to 2% of the previous year’s assessment, or the percent changes in the consumer price index, whichever is lower.

Subject to approval by 60 percent of voters during the 2024 general election or earlier special election, the amendment proposed in the joint resolution will take effect on January 1, 2025. The joint resolution is not subject to the governor’s veto powers.

The Revenue Estimating Conference estimated that the impact of the joint resolution on local government revenues is zero or negative indeterminate because the amendment proposed by the joint resolution is subject to voter approval.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The Florida Constitution reserves ad valorem taxation to local governments and prohibits the state from levying ad valorem taxes on real and tangible personal property.¹ Ad valorem taxes are annual taxes levied by counties, cities, school districts, and certain special districts. These taxes are based on the just or fair market value of real and tangible personal property as determined by county property appraisers on January 1 of each year.² The just value may be subject to limitations, such as the “Save Our Homes” limitation on homestead property assessment increases.³ The value arrived at after accounting for applicable limitations is known as the assessed value. Property Appraisers then calculate taxable value by reducing the assessed value in accordance with any applicable exemptions, such as the exemptions for homestead property.⁴ Each year, local governing boards levy millage rates (i.e. tax rates) on taxable value to generate the property tax revenue contemplated in their annual budgets.

The voters in 1992 approved an amendment to the Florida Constitution limiting any increase in the annual assessment of homestead property to 3% of the assessment for the prior year or the percent change in the Consumer Price Index, whichever is lower.⁵ This amendment is what is known as the “Save Our Homes” provision of the Florida Constitution. When there is a change in ownership or control of homestead property, the assessment is not limited by the assessed value of the previous year and it is reassessed at just value.⁶ Future assessments are then limited by the Save Our Homes provision as applied to the reassessed just value.

Effect of Proposed Changes

This joint resolution proposes to amend Section 4(d)(1) of Article VII of the Florida Constitution to reduce the maximum increase of the annual assessment of homestead property from 3% to 2% of the previous year’s assessment. The provision related to the percent change in the Consumer Price Index in unchanged, so the revised limitation would be a maximum increase of 2% or the percent change in the Consumer Price Index, whichever is lower. Approving the joint resolution would place the amendment on the ballot during either the 2024 general election or an earlier special election held for the purpose of proposing this amendment to the voters.⁷ Pending voter approval, the amendment will take effect on January 1, 2025.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

¹ Art. VII, s. 1(a), Fla. Const.

² Art. VII, s. 4, Fla. Const.

³ S. 193.155(1), F.S.

⁴ S. 196.031, F.S.

⁵ Art. VII, s. 4(d)(1), Fla. Const.

⁶ Art. VII, s. 4(d)(3), Fla. Const.; s. 193.155(3), F.S.

⁷ Note: Pursuant to Article XI, Section 5 of the Florida Constitution, placing the joint resolution on a special election ballot would require the legislature to pass a general law by 3/4th vote of each house.

Article XI, s. 5(d) of the Florida Constitution requires publication of a proposed amendment in a newspaper of general circulation in each county. The Division of Elections within the Department of State must advertise the full text of the amendment twice in a newspaper of general circulation in each county where the amendment will appear on the ballot. The Division must also provide each supervisor of elections with either booklets or posters displaying the full text of each proposed amendment.⁸

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The Revenue Estimating Conference (REC) estimated that the impact of the joint resolution on local government revenues is zero or negative indeterminate because the amendment is subject to voter approval. If the constitutional amendment proposed by HJR 469 does not pass, the impact is zero. If it is approved, because the amendment is self-executing, the impact would be negative indeterminate due to the inherent forecasting complexities between market conditions and changes in the Consumer Price Index. However, the REC noted that if the provision had been in place in 2022, the impact on local government revenues would have been approximately -\$150 million.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Owners of homestead property in Florida would realize lower property tax bills over time due to the lower limitation of increases in the annual value assessment of their property.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The mandates provision applies only to a general law, not to a joint resolution proposing to amend the state Constitution.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES



Measures to lower cap on property tax hikes clear first committee hurdle

'Changes to (property taxes) just don't land the same in every county.'

Voters could get the chance to reduce the size of property tax increases in the 2024 election, as one Senate panel gave its approval to a ballot measure that would cut the cap on annual property value hikes from 3% to 2%.

The Senate Community Affairs Committee on Wednesday passed **SJR 122**, which places the measure on the November 2024 ballot, and **SB 120**, which installs the language in statute, effective Jan. 1, 2025, if 60% of voters approve. The implementing bill passed 6-3 on a party line vote, with Republicans in favor and Democrats opposed.

Democrats expressed concern the measure would put stress on local governments during a time of high inflation. Sen. **Jason Pizzo**, a North Miami Democrat, said the savings per taxpayer wouldn't make as much of a difference as capping hikes on insurance rates, which are growing faster than property values.

"We're going to the weakest link ... because we just don't have either the acumen or the will to put a cap on things that are exploding at a much higher rate," Pizzo said.

Sen. **Bryan Ávila**, a Miami Republican, said rampant inflation is part of the reason the tax relief is necessary.



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"(Inflation) is having a dramatic impact on the cost of living in our state," Ávila said. "This is just another initiative to make sure we prioritize our residents."

One Republican, Sen. **Jennifer Bradley** of Fleming Island, also had concerns about the measure's effect on small, rural counties in her Northeast Florida district.

"Changes to (property taxes) just don't land the same in every county," Bradley said. "I certainly support a reduction in property tax but this is going to have a significant impact on folks who can least afford it."

Bradley said she'd still vote for it since Ávila had agreed to insert a provision protecting less populated counties with small tax bases from being harmed by the measure.

The potential impact on small counties is a big bone of contention, although the exact cost each area will bear is unclear. State economists scoring the measure found an indeterminate fiscal impact, although they found that if the cap was at 2% last year, it **would've cost local governments \$146.6 million.**



Bob McKee, deputy director of the Florida Association of Counties, argued the change would effectively be a cost shift, rather than a tax cut, if counties sought to recoup revenues from other areas, putting a greater tax burden on renters and those whose homes don't rise in value as quickly.

"All properties across Florida do not grow at the same rate," McKee said. "This puts more benefit to the high-value properties ... and less towards the average affordable home."

The House versions of the measures (**HJR 469** and **HB 471**) haven't received a hearing in that chamber yet.



Gray Rohrer

February 15, 2023

5 min

Bryan Avila

Florida Senate

HB 471

HJR 469

Jason Pizzo

Jennifer Bradley

Property Tax



Enterprise Fund Transfers

Municipal Utilities (Oppose)

CS/HB 1331 (Busatta Cabrera) would have substantially amended provisions of law relating to municipal water and electric utility extraterritorial surcharges, extraterritorial service **and transfers of enterprise funds**. The bill would have authorized a municipal utility to transfer a portion of its earnings to the municipality for general government purposes. The revenues transferred to fund general government purposes could not have exceeded a rate equal to the amount derived by applying the average of the midpoints of the rates of return on equity approved by the PSC for investor-owned utilities in the state. **The amount of the transfer would have been required to be further reduced based on the percentage of extraterritorial customers served by the utility.** The bill would have eliminated the automatic 25% surcharge that may be added to the rates and fees charged to extraterritorial customers. (O'Hara)



PRESS RELEASE

FOR IMMEDIATE RELEASE

DATE: March 21, 2023

CONTACT: Jennifer Fennell

PHONE: (850) 597-0057

EMAIL: jennifer@coremessage.com

STATEMENT BY:

**Amy Zubaly, Executive Director, Florida Municipal Electric Association
Regarding Proposed Committee Substitute for HB 1331, Amendment to SB
1380**

“The proposed substitute language for House Bill 1331 and an amendment to Senate Bill 1380 will hurt municipal utility communities and their residents.

Municipal utilities have constitutional authority to transfer revenue generated from assets owned and operated by the local government to the general government budget. These dollars are often used to provide residents with critical life and safety services, including police and fire departments.

House Bill 1331 and Senate Bill 1380 substantially limit municipal electric utilities’ ability to transfer revenues to cities’ general funds, which is used to reinvest in the health, safety and welfare of their communities. This will inordinately affect rural, often economically distressed, communities that have a weaker tax base because of the volume of tax-exempt properties that are located there, such as houses of worship, schools and government buildings.

Prohibiting or limiting general fund transfers would eliminate a city’s right as the utility owner to earn a reasonable return on the investment in its utility systems, a recognized right of every utility owner and operator, to provide an essential service and promote a higher quality of life in their communities.

PCS House Bill 1331 and Senate Bill 1380 will have innumerable unintended consequences for millions of Florida residents and businesses receiving utility services from a municipality. The legislation will undoubtedly raise costs and diminish the quality of life, through reduced services provided or higher taxes, for millions of Floridians already struggling with the burdens of inflation.”

###

The Florida Municipal Electric Association (FMEA) represents the unified interests of 33 public power communities across the state, which provide electricity to more than 4 million of Florida’s residential and business consumers.

1 A bill to be entitled
 2 An act relating to municipal utilities; amending s.
 3 166.201, F.S.; authorizing a municipality to fund or
 4 finance general government functions with a portion of
 5 revenues from utility operations; establishing limits
 6 on utility revenue transfers for municipal utilities;
 7 amending s. 180.191, F.S.; modifying provisions
 8 relating to permissible rates, fees, and charges
 9 imposed by municipal water and sewer utilities on
 10 customers located outside the municipal boundaries;
 11 providing an effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Section 166.201, Florida Statutes, is amended
 16 to read:

17 166.201 Taxes and charges.—

18 (1) A municipality may raise, by taxation and licenses
 19 authorized by the constitution or general law, or by user
 20 charges or fees authorized by ordinance, amounts of money which
 21 are necessary for the conduct of municipal government and may
 22 enforce their receipt and collection in the manner prescribed by
 23 ordinance not inconsistent with law.

24 (2)(a) A municipality that owns and operates an electric,
 25 natural gas, water, or wastewater utility may fund or finance

26 general government functions using a portion of the revenues
27 generated from rates, fees, and charges for the provision of
28 such utility service. The portion of utility revenues that may
29 be used during a fiscal year to fund or finance general
30 government functions, after payment of all utility expenses, may
31 not exceed:

32 1. For revenues generated from electric utility
33 operations, a transfer rate equal to the amount derived by
34 applying the average of the midpoints of the rates of return on
35 equity approved by the Public Service Commission for each
36 investor-owned electric utility in the state to the municipal
37 electric utility's revenues.

38 2. For revenues generated from natural gas utility
39 operations, a transfer rate equal to the amount derived by
40 applying the average of the midpoints of the rates of return on
41 equity approved by the Public Service Commission for each
42 investor-owned natural gas utility in the state to the municipal
43 natural gas utility's revenues.

44 3. For revenues generated from water or wastewater
45 operations, a transfer rate equal to the amount derived by
46 applying the rate of return on equity established by the Public
47 Service Commission under s. 367.081(4)(f) to the revenues of the
48 municipal water or wastewater utility.

49 (b) Except as provided in paragraph (c), the transfer rate
50 applied to municipal utility revenues under subparagraphs (a)1.-

51 3. shall be reduced as follows:

52 1. If more than 15 percent of a municipal utility's retail
53 customers, as measured by total meters served, are located
54 outside the municipal boundaries, the transfer rate applied to
55 utility revenues shall be reduced by 150 basis points.

56 2. If more than 30 percent of a municipal utility's retail
57 customers, as measured by total meters served, are located
58 outside the municipal boundaries, the transfer rate applied to
59 utility revenues shall be reduced by 300 basis points.

60 3. If more than 45 percent of a municipal utility's retail
61 customers, as measured by total meters served, are located
62 outside the municipal boundaries, the transfer rate applied to
63 utility revenues shall be reduced by 450 basis points.

64 (c) The reductions specified in paragraph (b) shall not
65 apply to a municipal utility service if the utility service is
66 governed by a utility authority board that, through the election
67 of voting members from outside the municipal boundaries,
68 provides for representation of retail customers located outside
69 the municipal boundaries approximately proportionate to the
70 percentage of such customers, as measured by total meters
71 served, that receive service from the utility.

72 Section 2. Subsection (1) of section 180.191, Florida
73 Statutes, is amended to read:

74 180.191 Limitation on rates charged consumer outside city
75 limits.-

76 (1) Any municipality within the state operating a water or
 77 sewer utility outside of the boundaries of such municipality
 78 shall charge consumers outside the boundaries rates, fees, and
 79 charges determined in one of the following manners:

80 (a) It may charge the same rates, fees, and charges as
 81 consumers inside the municipal boundaries. ~~However, in addition~~
 82 ~~thereto, the municipality may add a surcharge of not more than~~
 83 ~~25 percent of such rates, fees, and charges to consumers outside~~
 84 ~~the boundaries.~~ Fixing of such rates, fees, and charges in this
 85 manner shall not require a public hearing except as may be
 86 provided for service to consumers inside the municipality.

87 (b)1. It may charge rates, fees, and charges that are just
 88 and equitable and which are based on the same factors used in
 89 fixing the rates, fees, and charges for consumers inside the
 90 municipal boundaries. ~~In addition thereto, the municipality may~~
 91 ~~add a surcharge not to exceed 25 percent of such rates, fees,~~
 92 ~~and charges for said services to consumers outside the~~
 93 ~~boundaries. However, the total of all~~ Such rates, fees, and
 94 charges for the services to consumers outside the boundaries
 95 shall not be more than 25 ~~50~~ percent greater than ~~in excess of~~
 96 the total amount the municipality charges consumers served
 97 within the municipality for corresponding service. No such
 98 rates, fees, and charges shall be fixed until after a public
 99 hearing at which all of the users of the water or sewer systems;
 100 owners, tenants, or occupants of property served or to be served

CS/HB 1331

2023

101 thereby; and all others interested shall have an opportunity to
102 be heard concerning the proposed rates, fees, and charges. Any
103 change or revision of such rates, fees, or charges may be made
104 in the same manner as such rates, fees, or charges were
105 originally established, but if such change or revision is to be
106 made substantially pro rata as to all classes of service, both
107 inside and outside the municipality, no hearing or notice shall
108 be required.

109 2. Any municipality within the state operating a water or
110 sewer utility that provides service to consumers within the
111 boundaries of a separate municipality through the use of a water
112 treatment plant or sewer treatment plant located within the
113 boundaries of that separate municipality may charge consumers in
114 the separate municipality no more than the rates, fees, and
115 charges imposed on consumers inside its own municipal
116 boundaries.

117 Section 3. This act shall take effect July 1, 2024.

Infrastructure Project Funding/Transfers of Utility Revenues (Opposed) - 2022

HB 621 (Fine) and **SB 1162** (Broxson) would have prohibited specified state agencies and water management districts from disbursing state funds (including grants) for local government infrastructure, water and resiliency projects if the local government transferred its utility revenues (other than the costs of administrative and support services under a cost allocation plan) for use in providing general government functions and services. (Branch)

26 (1) As used in this section, the term:

27 (a) "Administering agency" means the governmental agency
 28 or entity charged in any category of the General Appropriations
 29 Act with administering or disbursing an appropriation.

30 (b) "General governmental functions" means all the
 31 services, other than provision of utility services, provided by
 32 a grantee. However, for the purposes of this section, the term
 33 does not include administrative and support services provided by
 34 the grantee to a government-owned utility under an approved cost
 35 allocation plan.

36 (c) "Government-owned utility" means any electric, water,
 37 stormwater, or wastewater utility system owned by a
 38 municipality, a county, a rural electric cooperative, or a
 39 special district created to own and operate a government-owned
 40 utility.

41 (d) "Grantee" means a county, a municipality, a rural
 42 electric cooperative, or a special district created to own and
 43 operate a government-owned utility, which applies for funds
 44 appropriated by the Legislature in the General Appropriations
 45 Act.

46 (e) "Infrastructure project" means a project related to
 47 coastal resiliency, flood control, stormwater management,
 48 wastewater management, water supply, or power generation,
 49 including the construction, renovation, maintenance, operations
 50 or repair of building or facility, fixtures and equipment.

51 (2) An administering agency may not disburse funds from
52 any category of the General Appropriations Act related to
53 infrastructure projects to a grantee if the grantee uses any
54 revenues collected in providing utility services to finance the
55 grantee's general governmental functions or to lend money to
56 finance the grantee's general governmental functions. To be
57 eligible for a disbursement of an appropriation or a grant by an
58 administering agency, the grantee must use the revenues of the
59 government-owned utility exclusively for construction,
60 operations, maintenance, and administrative costs directly
61 associated with providing utility services to its customers.

62 Section 2. Subsection (3) is added to section 373.501,
63 Florida Statutes, to read:

64 373.501 Appropriation of funds to water management
65 districts; appropriation of funds from water management
66 districts.-

67 (3) A water management district may not appropriate or
68 disburse funds to a grantee from any source for any water-
69 related project, including, but not limited to, a coastal
70 resiliency, flood control, stormwater management, wastewater
71 management, or water supply project, if the recipient uses
72 revenues it collects in providing utility services to finance
73 the grantee's general governmental functions or to lend money to
74 finance the grantee's general governmental functions, as defined
75 in s. 216.3492(1)(b). A potential grantee may not seek funds if

76 any of the revenues it collects in providing utility services
 77 are transferred to another fund to finance the grantee's general
 78 governmental functions or if the revenues collected are used to
 79 provide loans to finance its general governmental functions. For
 80 purposes of this subsection, the term "grantee" means a county
 81 or municipality that provides water, stormwater, or wastewater
 82 services, or a special district created to own and operate a
 83 utility that provides water, stormwater, or wastewater services.

84 Section 3. Subsection (1) of section 403.885, Florida
 85 Statutes, is amended to read:

86 403.885 Water Projects Grant Program.—

87 (1) The Department of Environmental Protection shall
 88 administer a grant program to use funds appropriated by the
 89 Legislature for water quality improvement, stormwater
 90 management, wastewater management, and water restoration and
 91 other water projects as specifically appropriated by the
 92 Legislature. Eligible recipients of such grants include
 93 counties, municipalities, water management districts, and
 94 special districts that have legal responsibilities for water
 95 quality improvement, water management, stormwater management,
 96 wastewater management, lake and river water restoration
 97 projects, and drinking water projects pursuant to this section.
 98 To be eligible for grant funding, a recipient of grant funds
 99 must verify to the department that it will use the revenues
 100 received exclusively for construction, operations, maintenance

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101 or administrative costs directly associated with providing
102 utility services to its customers. A recipient may not apply for
103 grant funding if any of the revenues it collects from providing
104 utility services are transferred to any other fund to finance
105 the recipient's general governmental functions, as defined in s.
106 216.3492(1)(b), or if the revenues collected are used to lend
107 funds to finance the recipient's general governmental functions.

108 Section 4. This act shall take effect July 1, 2022.



Enterprise Fund Transfers

Priority Statement:

The Florida League of Cities SUPPORTS the preservation of municipal authority to manage municipal revenue sources and realize a reasonable rate of return on their proprietary assets, investments and services.

Background:

- During the 2022 Session, legislation was filed that would have prohibited specified state agencies and water management districts from disbursing state funds (including grants) for local government infrastructure, water and resiliency projects if the local government transferred its utility revenues (other than the costs of administrative and support services under a cost allocation plan) for use in providing general government functions and services.
- Currently cities have the ability to transfer utility revenues as needed to supplement their general funds for other municipal operations.



Use of Infrastructure Tax

LOCAL GOVERNMENT INFRASTRUCTURE SURTAX

FLORIDA STATUTES: Section 212.055(2)

ADMINISTERED BY: Department of Revenue

SUMMARY:

The Local Government Infrastructure Surtax may be levied at the rate of 0.5 or 1 percent pursuant to an ordinance enacted by a majority vote of the county's governing body and approved by voters in a countywide referendum. Generally, the proceeds must be expended to finance, plan, and construct infrastructure; to acquire land for public recreation, conservation, or protection of natural resources; or to finance the closure of local government-owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection (DEP). Additional expenditure authority exists for select counties. All counties are eligible to levy this surtax, and 27 counties will be levying this surtax during the 2022 calendar year.

REVENUE:

| Fiscal Year | Total Collections | Annual Change % |
|-------------|-------------------|--------------------|
| 2023-24* | 1,822,251,953 | 0.60% |
| 2022-23* | 1,811,383,651 | -4.70% |
| 2021-22 | 1,900,717,367 | -12.01% |
| 2020-21 | 2,160,241,096 | 60.83% |
| 2019-20 | 1,343,198,190 | 0.77% |
| 2018-19 | 1,332,906,178 | 8.16% |
| 2017-18 | 1,232,355,442 | 29.60% |

* Estimate

HISTORY:

Chapter 87-239, L.O.F., created the Local Government Infrastructure Surtax, which authorized county governments, pursuant to voter approval in a countywide referendum, to levy a surtax of up to 1 percent in increments of ¼ cent for a period of up to 15 years. The distribution of proceeds was to be governed by interlocal agreement or default formula methodology, and the proceeds could be expended only for the financing, planning, and construction of infrastructure. Local government could not use the proceeds to supplant user fees or reduce existing ad valorem taxes. Chapter 87-548, L.O.F., authorized the surtax levy at a rate of 0.5 or 1 percent. Additionally, one or more municipalities representing a majority of the county's municipal population were authorized to place a surtax levy referendum on the ballot by adopting uniform resolutions to that effect.

Chapter 90-132, L.O.F. (HB 1299), authorized the surtax proceeds to also be used to acquire land for public recreation or conservation, or for the protection of natural resources. Chapter 90-203, L.O.F. (SB 862), required that municipalities adopting uniform resolutions called for a surtax levy referendum represent a majority of the county's population. Chapter 90-282, L.O.F. (HB 475), authorized school districts to share in the surtax proceeds pursuant to an interlocal agreement, subject to the consent of the county's governing body and the governing bodies of municipalities representing a majority of the county's municipal population. Chapter 92-309, L.O.F. (HB 193-H), limited the combined rate, in varying combinations of this and several other surtaxes to 1 percent. In addition, counties having a total population of 50,000 or less on April 1, 1992, were authorized to use the surtax proceeds for any public purpose if several conditions were met. Chapter 93-207, L.O.F. (HB 461), authorized local governments to use the surtax proceeds to finance the closure of county or municipal-owned solid waste landfills that

LOCAL GOVERNMENT INFRASTRUCTURE SURTAX

were already closed or required to be closed. In addition, counties having a total population of less than 50,000 were authorized to use the surtax proceeds for long-term maintenance costs associated with landfill closures. Chapter 93-222, L.O.F. (HB 729), limited the length of surtax levy and specified that any levy could only be extended by referendum approval. Also, the definition of infrastructure was expanded to include emergency vehicles and equipment. Chapter 94-459, L.O.F. (HB 475), authorized the Clay County BOCC to use the surtax proceeds to retire or service bond indebtedness incurred prior to July 1, 1987, and subsequently refunded, for the purpose of financing infrastructure. Chapter 94-487, L.O.F. (HB 2091), authorized the Alachua County BOCC and the county's municipalities to use surtax proceeds for the operation and maintenance of parks and recreation programs. Chapter 96-240, L.O.F. (SB 2334), authorized any county designated as an area of critical state concern to use the surtax proceeds for any public purpose if several conditions were met. In addition, any county in which 40 percent or more of the just value of real property is exempt or immune from ad valorem taxation (and the municipalities within such a county) was authorized to use the surtax proceeds for operation and maintenance of parks and recreation programs. Chapter 96-410, L.O.F. (HB 751), specified that once a county having a total population of 50,000 or less was qualified to use the surtax proceeds for long-term maintenance costs associated with the closure of solid waste landfills, the county would retain that qualification until its population exceeds 75,000. Chapter 98-342, L.O.F. (HB 4413), provided for an additional authorized use of the surtax that is imposed or extended after July 1, 1998, by authorizing that no more than 15 percent of surtax proceeds may be allocated for the purpose of funding economic development projects of a general public purpose targeted to improve local economies. Such funding could include the operational costs and incentives related to such economic development. Chapter 98-258, L.O.F. (HB 1589), increased the maximum population limit from 50,000 to 75,000 for a small county to qualify to use the surtax proceeds for long-term maintenance costs associated with landfill closure. Chapter 99-340, L.O.F. (HB 289), authorized charter counties to use the surtax proceeds to retire or service indebtedness for bonds issued prior to July 1, 1987, for infrastructure purposes as well as for bonds subsequently issued to refund such bonds. Additionally, the use of such proceeds for retiring or servicing indebtedness incurred for such refunding bonds issued prior to July 1, 1999, was ratified.

Chapter 2003-254, L.O.F. (SB 1176), eliminated the restrictions on the use of surtax proceeds to supplant or replace user fees or to reduce ad valorem taxes. Chapter 2003-402, L.O.F. (HB 113-A), expanded the allowable uses of the surtax proceeds to include the construction, lease, or maintenance of, provision of utilities or security for, those court facilities as defined in s. 29.008, F.S. Chapter 2006-66, L.O.F. (HB 737), modified the definition of infrastructure to include any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of five or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or staging area for emergency response equipment during an emergency officially declared by the state or local government. Chapter 2006-223, L.O.F. (HB 1299), authorized a county, which was designated as an area of critical state concern for at least 20 consecutive years prior to removal of the designation and qualified to use the surtax proceeds for any public purpose at the time of the designation's removal, to continue to use up to 10 percent of the surtax proceeds for any public purpose other than for infrastructure purposes for 20 years. After the 20 year period expires, a county could adopt an ordinance providing for such continued use of surtax proceeds. Chapter 2007-196, L.O.F. (SB 1974), deleted a provision prohibiting a school district, county, or municipality from issuing bonds more than once each year pledging the surtax proceeds. Chapter 2009-96, L.O.F. (SB 360), expanded the definition of infrastructure to include any land-acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individual or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or special district that enters into a written agreement with the local government to provide such housing.

LOCAL GOVERNMENT INFRASTRUCTURE SURTAX

Chapter 2012-117, L.O.F. (HB 7117), authorized the surtax proceeds to be used for the additional purpose of providing loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorized such use is approved by referendum. Chapter 2013-198, L.O.F. (HB 579), expanded the definition of energy efficiency improvement to include the installation of systems for natural gas fuels as defined in s. 206.9951, F.S. This change allows a local government to provide loans, grants, or rebates to residential or commercial property owners who install a defined natural gas fueling system, if a local ordinance authorizing such use is approved by referendum. Chapter 2016-225, L.O.F., (CS/CS/HB 447) expanded the purposes for which the surtax proceeds and accrued interest can be used to include the prevention or satisfaction of private property rights claims resulting from limitations imposed by the designation of an area of critical state concern. Additionally, the legislation expanded the definition of infrastructure in s. 212.055(2)(d)1.a., F.S. Prior to this law change, the statute limited the definition, in part, to mean any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have life expectancies of 5 or more years, related land acquisition, land improvement, design, and engineering costs. The legislation expanded this definition to include all other professional and related costs required to bring public facilities into service. As used here, the term public facilities means facilities as defined in ss. 163.3164(38), 163.3221(13), or 189.012(5), F.S. Chapter 2018-118, L.O.F., (CS/HB 7087) amends the definition of infrastructure to clarify that public facilities also includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office buildings, and animal shelters. Additionally, the legislation amends the definition of infrastructure to include instructional technology used solely in a school district's classrooms. Instructional technology is defined as an interactive device that assists a teacher in instructing a class or group of students. The hardware and software necessary to operate the interactive device and support systems in which an interactive device may mount are also included as authorized expenditures. Chapter 2019-64, L.O.F., (CS/CS/HB 5) amends s. 212.055, F.S., to require, effective January 1, 2020, that any referendum to adopt or amend a local discretionary sales surtax be held at a general election, which is defined in s. 97.021, F.S., to mean an election held on the first Tuesday after the first Monday in November in the even-numbered years. Upon adoption of an ordinance or a resolution by a county or school district to hold a local discretionary sales surtax referendum on or after January 1, 2020, the legislation requires the county or school district to provide the Florida Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) with a copy of the final ordinance or resolution calling for the referendum at least 180 days before the referendum is held. Additionally, the legislation maintains the requirement that OPPAGA select and pay for a certified public accountant to conduct a performance audit of the program associated with the proposed surtax and the requirement that the performance audit be completed and made available on the county or school district website at least 60 days prior to the referendum. OPPAGA is required to procure the certified public accountant to conduct the performance audit within 60 days of receiving the final resolution or ordinance. Furthermore, the legislation declares void any local discretionary sales surtax referendum if the county or school district fails to provide notice to OPPAGA or fails to publish the results of the performance audit on its website at least 60 days before the referendum is held.

IMPOSITION AND RATE:

Local governments may levy this surtax at a rate of 0.5 or 1 percent. This levy shall be pursuant to an ordinance enacted by a majority of the members of the county's governing body and approved by the voters in a countywide referendum. In lieu of action by the county's governing body, municipalities representing a majority of the county's population may initiate the surtax through the adoption of uniform resolutions calling for a countywide referendum on the issue. If the proposal to levy the surtax is approved by a majority of the electors, the levy shall take effect.

Additionally, the surtax may not be levied beyond the time established in the ordinance if the surtax was levied pursuant to a referendum held before July 1, 1993. If the pre-July 1, 1993 ordinance did not limit

LOCAL GOVERNMENT INFRASTRUCTURE SURTAX

the period of the levy, the surtax may not be levied for more than 15 years. There is no state-mandated limit on the length of levy for those surtax ordinances enacted after July 1, 1993. The levy may only be extended by voter approval in a countywide referendum.

During the 2022 calendar year, 9 counties will be levying at the 0.5 percent rate and 18 counties will be levying at the 1 percent rate. This surtax is one of several surtaxes subject to a combined rate limitation. A county shall not levy this surtax and the Small County Surtax, Indigent Care and Trauma Center Surtax, and County Public Hospital Surtax in excess of a combined rate of 1 percent.

DISPOSITION AND USES:

The Department of Revenue shall distribute the surtax proceeds to the county and its respective municipalities pursuant to distribution percentages specified in a locally determined interlocal agreement, which may include a school district, or the default formula methodology based on the Local Government Half-cent Sales Tax formulas provided in s. 218.62, F.S.

The surtax proceeds and any accrued interest shall be expended by the school district, within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to: 1) finance, plan, and construct infrastructure; 2) acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; 3) provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or 4) finance the closure of county or municipal-owned solid waste landfills that have been closed or are required to be closed by order of the DEP.

A county with a total population of 50,000 or less on April 1, 1992, or any county designated as an area of critical state concern that imposed the surtax before July 1, 1992, may use the proceeds and accrued interest of the surtax for any public purpose if the county satisfies all of the following criteria: 1) the debt service obligations for any year are met; 2) the county's comprehensive plan has been determined to be in compliance with part II of ch. 163, F.S; and 3) the county has adopted an amendment to the surtax ordinance pursuant to the procedure provided in s. 125.66, F.S., authorizing additional uses of the proceeds and accrued interest. Additional expenditure authority exists for select counties.

ADDITIONAL INFORMATION:

A more detailed description of this surtax in its present form as well as estimated revenue distributions to county and municipal governments can be found in the Office of Economic and Demographic Research's annual report *Local Government Financial Information Handbook* via the following link:

<http://edr.state.fl.us/Content/local-government/reports/index.cfm>

History of Local Discretionary Sales Surtax Levies

Summary of Impositions, Expirations, Extensions, Rate Changes, and Imposition Attempts

Active Levies, as of August 1, 2023, Are Noted in Bold Italics.

| County or School District | Action | Rate | Effective Date | Expiration Date |
|---|-----------------------|-------------|---------------------|-----------------------|
| Charter County and Regional Transportation System Surtax - s. 212.055(1), F.S. | | | | |
| Broward | Imposed Levy | 1% | Jan. 1, 2019 | Dec. 31, 2048 |
| Duval | Imposed Levy | 0.5% | Jan. 1, 1989 | Until Repealed |
| Hillsborough | Imposed Levy | 1% | Jan. 1, 2019 | Dec. 31, 2048 |
| Hillsborough | Terminated Levy | 1% | Mar. 15, 2021 | - |
| Miami-Dade | Imposed Levy | 0.5% | Jan. 1, 2003 | Until Repealed |
| Walton | Imposed Levy | 0.5% | Jan. 1, 2013 | Dec. 31, 2015 |
| Local Government Infrastructure Surtax - s. 212.055(2), F.S. | | | | |
| Alachua | Imposed Levy | 1% | Jan. 1, 2002 | Dec. 31, 2002 |
| Alachua | Imposed Levy | 0.5% | Jan. 1, 2009 | Dec. 31, 2010 |
| Alachua | Imposed Levy | 0.5% | Jan. 1, 2017 | Dec. 31, 2022 |
| Alachua | Increased Rate | 1.0% | Jan. 1, 2023 | Dec. 31, 2032 |
| Bay | Imposed Levy | 0.5% | Jun. 1, 1988 | Dec. 31, 1993 |
| Bay | Increased Rate | 1% | Jan. 1, 1994 | Dec. 31, 1994 |
| Bay | Decreased Rate | 0.5% | Jan. 1, 1995 | May 31, 2003 |
| Bay | Imposed Levy | 0.5% | Jan. 1, 2017 | Dec. 31, 2026 |
| Brevard | Imposed Levy | 0.5% | Jan. 1, 2017 | Dec. 31, 2026 |
| Charlotte | Imposed Levy | 1% | Apr. 1, 1995 | Mar. 31, 1999 |
| Charlotte | Extended Levy | 1% | - | Dec. 31, 2002 |
| Charlotte | Extended Levy | 1% | - | Dec. 31, 2008 |
| Charlotte | Extended Levy | 1% | - | Dec. 31, 2014 |
| Charlotte | Extended Levy | 1% | - | Dec. 31, 2020 |
| Charlotte | Extended Levy | 1% | - | Dec. 31, 2026 |
| Clay | Imposed Levy | 1% | Feb. 1, 1990 | Jan. 31, 2005 |
| Clay | Extended Levy | 1% | - | Dec. 31, 2019 |
| Clay | Extended Levy | 1% | - | Dec. 31, 2039 |
| Collier | Imposed Levy | 1% | Jan. 1, 2019 | Dec. 31, 2025 |
| DeSoto | Imposed Levy | 1% | Jan. 1, 1988 | Dec. 31, 2002 |
| Dixie | Imposed Levy | 1% | Apr. 1, 1990 | Mar. 31, 2005 |
| Duval | Imposed Levy | 0.5% | Jan. 1, 2001 | Dec. 31, 2030 |
| Escambia | Imposed Levy | 1% | Jun. 1, 1992 | May 31, 1999 |
| Escambia | Extended Levy | 1% | - | May 31, 2007 |
| Escambia | Extended Levy | 1% | - | Dec. 31, 2017 |
| Escambia | Extended Levy | 1% | - | Dec. 31, 2028 |
| Flagler | Imposed Levy | 1% | Dec. 1, 1990 | Dec. 31, 2002 |
| Flagler | Imposed Levy | 0.5% | Jan. 1, 2003 | Dec. 31, 2012 |
| Gadsden | Imposed Levy | 1% | Jan. 1, 1988 | Dec. 31, 1995 |
| Glades | Imposed Levy | 1% | Feb. 1, 1992 | Jan. 31, 2007 |
| Glades | Extended Levy | 1% | - | Dec. 31, 2021 |
| Hamilton | Imposed Levy | 1% | Jul. 1, 1990 | Jun. 30, 2005 |
| Hardee | Imposed Levy | 1% | Jan. 1, 1990 | Dec. 31, 1997 |
| Hendry | Imposed Levy | 1% | Jan. 1, 1988 | Dec. 31, 2002 |
| Highlands | Imposed Levy | 1% | Nov. 1, 1989 | Oct. 31, 2004 |
| Highlands | Extended Levy | 1% | - | Dec. 31, 2018 |
| Highlands | Extended Levy | 1% | - | Dec. 31, 2033 |
| Hillsborough | Imposed Levy | 0.5% | Dec. 1, 1996 | Nov. 30, 2026 |
| Indian River | Imposed Levy | 1% | Jun. 1, 1989 | May 31, 2004 |
| Indian River | Extended Levy | 1% | - | Dec. 31, 2019 |
| Indian River | Extended Levy | 1% | - | Dec. 31, 2034 |
| Jackson | Imposed Levy | 1% | Jun. 1, 1988 | Jul. 1, 1992 |
| Jefferson | Imposed Levy | 1% | Jun. 1, 1988 | May 31, 2003 |
| Lake | Imposed Levy | 1% | Jan. 1, 1998 | Dec. 31, 2002 |
| Lake | Extended Levy | 1% | - | Dec. 31, 2017 |
| Lake | Extended Levy | 1% | - | Dec. 31, 2032 |
| Leon | Imposed Levy | 1% | Dec. 1, 1989 | Nov. 30, 2004 |
| Leon | Extended Levy | 1% | - | Dec. 31, 2019 |
| Leon | Extended Levy | 1% | - | Dec. 31, 2039 |

History of Local Discretionary Sales Surtax Levies

Summary of Impositions, Expirations, Extensions, Rate Changes, and Imposition Attempts

Active Levies, as of August 1, 2023, Are Noted in Bold Italics.

| County or School District | Action | Rate | Effective Date | Expiration Date |
|--|----------------------|-------------|---------------------|-----------------------|
| Madison | Imposed Levy | 1% | Aug. 1, 1989 | Jul. 31, 2004 |
| Manatee | Imposed Levy | 1% | Jan. 1, 1990 | Jan. 1, 1993 |
| Manatee | Imposed Levy | 1% | Jul. 1, 1994 | Jun. 30, 1999 |
| Manatee | Imposed Levy | 0.5% | Jan. 1, 2017 | Dec. 31, 2031 |
| Marion | Imposed Levy | 1% | Jan. 1, 2003 | Dec. 31, 2004 |
| Marion | Imposed Levy | 1% | Jan. 1, 2017 | Dec. 31, 2020 |
| Marion | Extended Levy | 1% | - | Dec. 31, 2024 |
| Martin | Imposed Levy | 1% | Jun. 1, 1996 | May 31, 1997 |
| Martin | Imposed Levy | 1% | Jan. 1, 1999 | Dec. 31, 2001 |
| Martin | Imposed Levy | 0.5% | Jan. 1, 2007 | Dec. 31, 2011 |
| Monroe | Imposed Levy | 1% | Nov. 1, 1989 | Oct. 31, 2004 |
| Monroe | Extended Levy | 1% | - | Dec. 31, 2018 |
| Monroe | Extended Levy | 1% | - | Dec. 31, 2033 |
| Monroe | Extended Levy | 1% | - | Dec. 31, 2048 |
| Okaloosa | Imposed Levy | 0.5% | Oct. 1, 1989 | Sep. 30, 1991 |
| Okaloosa | Imposed Levy | 1% | Aug. 1, 1995 | Jul. 31, 1999 |
| Okaloosa | Imposed Levy | 0.5% | Jan. 1, 2019 | Dec. 31, 2028 |
| Osceola | Imposed Levy | 1% | Sep. 1, 1990 | Aug. 31, 2005 |
| Osceola | Extended Levy | 1% | - | Aug. 31, 2025 |
| Osceola | Extended Levy | 1% | - | Dec. 31, 2045 |
| Palm Beach | Imposed Levy | 1% | Jan. 1, 2017 | Dec. 31, 2026 |
| Pasco | Imposed Levy | 1% | Jan. 1, 2005 | Dec. 31, 2014 |
| Pasco | Extended Levy | 1% | - | Dec. 31, 2024 |
| Pasco | Extended Levy | 1% | - | Dec. 31, 2039 |
| Pinellas | Imposed Levy | 1% | Feb. 1, 1990 | Dec. 31, 2019 |
| Pinellas | Extended Levy | 1% | - | Dec. 31, 2029 |
| Putnam | Imposed Levy | 1% | Jan. 1, 2003 | Dec. 31, 2017 |
| Putnam | Extended Levy | 1% | - | Dec. 31, 2032 |
| St. Lucie | Imposed Levy | 0.5% | Jan. 1, 2019 | Dec. 31, 2028 |
| Santa Rosa | Imposed Levy | 1% | Sep. 1, 1993 | Sep. 1, 1998 |
| Santa Rosa | Imposed Levy | 0.5% | Jan. 1, 2017 | Dec. 31, 2021 |
| Santa Rosa | Extended Levy | 0.5% | - | Dec. 31, 2026 |
| Sarasota | Imposed Levy | 1% | Sep. 1, 1989 | Aug. 31, 2004 |
| Sarasota | Extended Levy | 1% | - | Aug. 31, 2009 |
| Sarasota | Extended Levy | 1% | - | Dec. 31, 2024 |
| Sarasota | Extended Levy | 1% | - | Dec. 31, 2039 |
| Seminole | Imposed Levy | 1% | Oct. 1, 1991 | Sep. 30, 2001 |
| Seminole | Imposed Levy | 1% | Jan. 1, 2002 | Dec. 31, 2011 |
| Seminole | Imposed Levy | 1% | Jan. 1, 2015 | Dec. 31, 2024 |
| Suwannee | Imposed Levy | 1% | Jan. 1, 1988 | Dec. 31, 2002 |
| Taylor | Imposed Levy | 1% | Aug. 1, 1989 | Dec. 31, 1999 |
| Wakulla | Imposed Levy | 1% | Jan. 1, 1988 | Dec. 31, 2002 |
| Wakulla | Extended Levy | 1% | - | Dec. 31, 2017 |
| Wakulla | Extended Levy | 1% | - | Dec. 31, 2037 |
| Small County Surtax - s. 212.055(3), F.S. | | | | |
| Baker | Imposed Levy | 1% | Jan. 1, 1994 | Until Repealed |
| Bradford | Imposed Levy | 1% | Mar. 1, 1993 | Until Repealed |
| Calhoun | Imposed Levy | 1% | Jan. 1, 1993 | Dec. 31, 2000 |
| Calhoun | Extended Levy | 1% | - | Dec. 31, 2008 |
| Calhoun | Extended Levy | 1% | - | Until Repealed |
| Columbia | Imposed Levy | 1% | Aug. 1, 1994 | Until Repealed |
| DeSoto | Imposed Levy | 1% | Jan. 1, 2003 | Until Repealed |
| Dixie | Imposed Levy | 1% | Apr. 1, 2005 | Dec. 31, 2029 |
| Flagler | Imposed Levy | 0.5% | Jan. 1, 2013 | Dec. 31, 2032 |
| Franklin | Imposed Levy | 1% | Jan. 1, 2008 | Until Repealed |
| Gadsden | Imposed Levy | 1% | Jan. 1, 1996 | Until Repealed |
| Gilchrist | Imposed Levy | 1% | Oct. 1, 1992 | Until Repealed |
| Glades | Imposed Levy | 1% | Jan. 1, 2022 | Dec. 31, 2031 |

By Senator Brodeur

10-00664B-23

2023882__

1 A bill to be entitled
2 An act relating to the local government infrastructure
3 surtax; amending s. 212.055, F.S.; providing that
4 proceeds of the surtax may be used to maintain
5 infrastructure; providing that surtax proceeds and any
6 interest may be used for the operational expenses of
7 infrastructure; revising the definition of the term
8 "infrastructure"; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Paragraph (d) of subsection (2) of section
13 212.055, Florida Statutes, is amended to read:

14 212.055 Discretionary sales surtaxes; legislative intent;
15 authorization and use of proceeds.—It is the legislative intent
16 that any authorization for imposition of a discretionary sales
17 surtax shall be published in the Florida Statutes as a
18 subsection of this section, irrespective of the duration of the
19 levy. Each enactment shall specify the types of counties
20 authorized to levy; the rate or rates which may be imposed; the
21 maximum length of time the surtax may be imposed, if any; the
22 procedure which must be followed to secure voter approval, if
23 required; the purpose for which the proceeds may be expended;
24 and such other requirements as the Legislature may provide.
25 Taxable transactions and administrative procedures shall be as
26 provided in s. 212.054.

27 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

28 (d) The proceeds of the surtax authorized by this
29 subsection and any accrued interest shall be expended by the

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30 school district, within the county and municipalities within the
31 county, or, in the case of a negotiated joint county agreement,
32 within another county, to finance, plan, ~~and~~ construct, and
33 maintain infrastructure; to acquire any interest in land for
34 public recreation, conservation, or protection of natural
35 resources or to prevent or satisfy private property rights
36 claims resulting from limitations imposed by the designation of
37 an area of critical state concern; to provide loans, grants, or
38 rebates to residential or commercial property owners who make
39 energy efficiency improvements to their residential or
40 commercial property, if a local government ordinance authorizing
41 such use is approved by referendum; or to finance the closure of
42 county-owned or municipally owned solid waste landfills that
43 have been closed or are required to be closed by order of the
44 Department of Environmental Protection. Any use of the proceeds
45 or interest for purposes of landfill closure before July 1,
46 1993, is ratified. The proceeds and any interest may ~~not~~ be used
47 for the operational expenses of infrastructure, ~~except that a~~
48 ~~county that has a population of fewer than 75,000 and that is~~
49 ~~required to close a landfill may use the proceeds or interest~~
50 ~~for long-term maintenance costs associated with landfill~~
51 ~~closure~~. Counties, as defined in s. 125.011, and charter
52 counties may, in addition, use the proceeds or interest to
53 retire or service indebtedness incurred for bonds issued before
54 July 1, 1987, for infrastructure purposes, and for bonds
55 subsequently issued to refund such bonds. Any use of the
56 proceeds or interest for purposes of retiring or servicing
57 indebtedness incurred for refunding bonds before July 1, 1999,
58 is ratified.

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59 1. For the purposes of this paragraph, the term
60 "infrastructure" means:

61 a. Any fixed capital expenditure or fixed capital outlay
62 associated with the construction, reconstruction, ~~or~~
63 improvement, or maintenance of public facilities that have a
64 life expectancy of 5 or more years, any related land
65 acquisition, land improvement, design, and engineering costs,
66 and all other professional and related costs required to bring
67 the public facilities into service. For purposes of this sub-
68 subparagraph, the term "public facilities" means facilities as
69 defined in s. 163.3164(39), s. 163.3221(13), or s. 189.012(5),
70 and includes facilities that are necessary to carry out
71 governmental purposes, including, but not limited to, fire
72 stations, general governmental office buildings, and animal
73 shelters, regardless of whether the facilities are owned by the
74 local taxing authority or another governmental entity.

75 b. A fire department vehicle, an emergency medical service
76 vehicle, a sheriff's office vehicle, a police department
77 vehicle, or any other vehicle, and the equipment necessary to
78 outfit the vehicle for its official use or equipment that has a
79 life expectancy of at least 5 years.

80 c. Any expenditure for the construction, lease, or
81 maintenance of, or provision of utilities or security for,
82 facilities, as defined in s. 29.008.

83 d. Any fixed capital expenditure or fixed capital outlay
84 associated with the improvement of private facilities that have
85 a life expectancy of 5 or more years and that the owner agrees
86 to make available for use on a temporary basis as needed by a
87 local government as a public emergency shelter or a staging area

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88 for emergency response equipment during an emergency officially
89 declared by the state or by the local government under s.
90 252.38. Such improvements are limited to those necessary to
91 comply with current standards for public emergency evacuation
92 shelters. The owner must enter into a written contract with the
93 local government providing the improvement funding to make the
94 private facility available to the public for purposes of
95 emergency shelter at no cost to the local government for a
96 minimum of 10 years after completion of the improvement, with
97 the provision that the obligation will transfer to any
98 subsequent owner until the end of the minimum period.

99 e. Any land acquisition expenditure for a residential
100 housing project in which at least 30 percent of the units are
101 affordable to individuals or families whose total annual
102 household income does not exceed 120 percent of the area median
103 income adjusted for household size, if the land is owned by a
104 local government or by a special district that enters into a
105 written agreement with the local government to provide such
106 housing. The local government or special district may enter into
107 a ground lease with a public or private person or entity for
108 nominal or other consideration for the construction of the
109 residential housing project on land acquired pursuant to this
110 sub-subparagraph.

111 f. Instructional technology used solely in a school
112 district's classrooms. As used in this sub-subparagraph, the
113 term "instructional technology" means an interactive device that
114 assists a teacher in instructing a class or a group of students
115 and includes the necessary hardware and software to operate the
116 interactive device. The term also includes support systems in

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117 which an interactive device may mount and is not required to be
118 affixed to the facilities.

119 2. For the purposes of this paragraph, the term "energy
120 efficiency improvement" means any energy conservation and
121 efficiency improvement that reduces consumption through
122 conservation or a more efficient use of electricity, natural
123 gas, propane, or other forms of energy on the property,
124 including, but not limited to, air sealing; installation of
125 insulation; installation of energy-efficient heating, cooling,
126 or ventilation systems; installation of solar panels; building
127 modifications to increase the use of daylight or shade;
128 replacement of windows; installation of energy controls or
129 energy recovery systems; installation of electric vehicle
130 charging equipment; installation of systems for natural gas fuel
131 as defined in s. 206.9951; and installation of efficient
132 lighting equipment.

133 3. Notwithstanding any other provision of this subsection,
134 a local government infrastructure surtax imposed or extended
135 after July 1, 1998, may allocate up to 15 percent of the surtax
136 proceeds for deposit into a trust fund within the county's
137 accounts created for the purpose of funding economic development
138 projects having a general public purpose of improving local
139 economies, including the funding of operational costs and
140 incentives related to economic development. The ballot statement
141 must indicate the intention to make an allocation under the
142 authority of this subparagraph.

143 Section 2. This act shall take effect upon becoming a law.



Tourist Development Tax

Tourist Development Taxes

Section 125.0104, Florida Statutes

Summary:

Section 125.0104, F.S., authorizes five separate tourist development taxes that county governments may levy. Depending on a county's eligibility to levy, the tax rate applied to transient rental transactions varies from a minimum of 3 percent to a maximum of 6 percent. The levies are by vote of the county's governing body or referendum approval. The tax proceeds are used generally for capital construction of tourist-related facilities, tourist promotion, and beach and shoreline maintenance; however, the authorized uses vary according to the particular levy. During the 2022-23 state fiscal year, the 62 counties levying a tourist development tax will realize an estimated \$1.55 billion in revenue. The 36 counties not currently levying all possible tourist development taxes will allow an estimated \$106 million to go unrealized.

General Law Amendments:

Chapter 2022-5, L.O.F. (SB 850) amends s. 125.0104(9), F.S., to delete obsolete statutory language relating to a public records exemption for a trade secret, as defined in s. 812.081, F.S., held by a county tourism promotion agency. The exemption was not reenacted by the Legislature and repealed on October 2, 2021. This change became effective on May 13, 2022.

Chapter 2022-214, L.O.F., (CS/CS/HB 777) requires a referendum authorizing the levy of the 1 to 2 Percent Tax to be held at a general election, as defined in s. 97.021, F.S. Furthermore, it appears that the Additional 1 Percent Tax, which can be adopted locally pursuant to an extraordinary vote of the county's governing body or by referendum approval, may not be subject to the general election limitation. The Additional 1 Percent Tax, authorized pursuant to s. 125.0104(3)(d), F.S., was not cross-referenced in the legislation. This change became effective on October 1, 2022.

Authorization to Levy:

Any county may levy and impose a tourist development tax within its boundaries, except there is no additional levy of a tourist development tax in those municipalities levying the Municipal Resort Tax as authorized in ch. 67-930, L.O.F. Additionally, no county authorized to levy any of the convention development taxes is authorized to levy more than 2 percent of tourist development tax;¹ however, this restriction does not apply to a county's levy of the Professional Sports Franchise Facility Tax² and Duval County's levy of the Additional Professional Sports Franchise Facility Tax.³ A county may elect to levy a tourist development tax in a subcounty special district, and if it does, the district must embrace all or a significant contiguous portion of the county. The county must also assist the Department of Revenue (DOR) in identifying those rental units within the district that are subject to the tax.

These levies require the adoption of an authorizing ordinance by vote of the county's governing body. Additionally, some levies require referendum approval or provide the option that the tax may be approved by referendum. Depending on the particular tax levy, the effective date of the levy and imposition of the tax is the first day on the second month following approval of the ordinance by referendum, as prescribed in s. 125.0104(6), F.S., or the first day of any subsequent month as may be specified in the ordinance. At least 60

1. Section 125.0104(3)(b), F.S.
2. Section 125.0104(3)(l)4., F.S.
3. Section 125.0104(3)(n)2., F.S.

days prior to the enactment of the ordinance levying the tax, the county's governing body must adopt a resolution establishing and appointing the members of the county tourist development council and indicating the county's intention to consider the enactment of an ordinance levying and imposing the tax.

The tourist development council, prior the enactment of the ordinance, must prepare and submit to the county's governing body for its approval a plan for tourist development.⁴ These provisions regarding the establishment of a county tourist development council and the submission of a tourist development plan apply only to the 1 or 2 percent tax pursuant to s. 125.0104(3)(c), F.S., since the other levies are exempted from these requirements. The plan sets forth the anticipated net tax revenue to be derived by the county for two years following the tax levy as well as indicate the tax district in which the tourist development tax is proposed. In addition, the plan provides a list, in order of priority, of the proposed uses of the tax revenue by specific project or use as well as the approximate cost or expense allocation for each specific project or use. The governing body adopts the county plan for tourist development as part of the ordinance levying the tax.

Administrative Procedures:

It is the Legislature's intent that every person who rents, leases, or lets for consideration any living quarters or accommodations in any hotel, apartment hotel, motel, resort motel, apartment, apartment motel, roominghouse, mobile home park, recreational vehicle park, condominium or timeshare resort for a term of six months or less is exercising a taxable privilege, unless such person rents, leases, or lets for consideration any living quarters or accommodations that are exempt according to the provisions of ch. 212, F.S. The tax is charged by the person receiving the consideration for rent or lease at the time of payment, and this person is responsible for receiving, accounting for, and remitting any applicable tax to the DOR. The DOR keeps records showing the amount of taxes collected, including records disclosing the amount of taxes collected from each county in which a tax is levied and promulgates rules and publishes forms as necessary to enforce these taxes.⁵

A county may exempt itself from the requirements that the tax be administered by the DOR, if the county adopts an ordinance providing for local collection and administration. A portion of the tax collections may be retained by the county for its administrative costs; however, that portion cannot exceed 3 percent of collections. A county electing to locally administer the tax adopts an ordinance electing either to assume all responsibility for auditing the records and accounts of dealers and assessing, collecting, and enforcing payments of delinquent taxes or delegating such authority to the DOR.⁶

Reporting Requirements:

For each levy, the county is responsible for furnishing the DOR with a certified copy of the ordinance within 10 days after its approval. If applicable, the county also notifies the DOR within 10 days after the ordinance's approval by referendum of the time period during which the tax will be levied.⁷

Distribution of Proceeds:

Tax collections received by the DOR, less the costs of administration, are paid monthly to the county, which imposed the particular tax or taxes. The funds are placed in the county tourist development trust fund of the respective county, which is established by each county as a pre-condition to the receipt of such funds.⁸

4. Section 125.0104(4), F.S.

5. Section 125.0104(3), F.S.

6. Section 125.0104(10), F.S.

7. Section 125.0104(4)(a), F.S.

8. Section 125.0104(3)(i), F.S.

Automatic Expiration on Retirement of Bonds:

If the plan for tourist development approved by the county’s governing body, as amended pursuant to s. 125.0104(4)(d), F.S., includes the acquisition, construction, extension, enlargement, remodeling, repair, or improvement of a publicly owned and operated convention center, sports stadium, sports arena, coliseum, or auditorium, or museum or aquarium that is publicly owned or operated or owned and operated by a not-for-profit organization, the county ordinance levying and imposing the tax automatically expires upon the later of either of the following.

1. The retirement of all bonds issued by the county for financing the acquisition, construction, extension, enlargement, remodeling, repair, or improvement of a publicly owned and operated convention center, sports stadium, sports arena, coliseum, or auditorium, or museum or aquarium that is publicly owned and operated or owned and operated by a not-for-profit organization.
2. The expiration of any agreement by the county for the operation and maintenance, or both, of a publicly owned and operated convention center, sports stadium, sports arena, coliseum, auditorium, aquarium, or museum. However, this does not preclude that county from amending the ordinance extending the tax to the extent that the county board determines it necessary to provide funds to operate, maintain, repair, or renew and replace a publicly owned and operated convention center, sports stadium, sports arena, coliseum, auditorium, aquarium, or museum or from enacting an ordinance that takes effect without referendum approval, unless the original referendum required ordinance expiration, pursuant to the provisions re-imposing a tourist development tax, upon or following the expiration of the previous ordinance.⁹

Attorney General Opinions:

Florida’s Attorney General has issued the following legal opinions relevant to this revenue source.

| <u>Opinion #</u> | <u>Subject</u> |
|------------------|---|
| 2021-02 | Tourist development tax use for design, engineering |
| 2020-02 | Tourist development tax – tourist industry reps |
| 2019-13 | Tourist development tax – for-profit museum |
| 2019-02 | Tourist development tax – nature center – road shoulder |
| 2017-06 | Funding transit system with tourist development tax |
| 2016-18 | Tourist development tax expenditures |
| 2015-14 | Tourist development tax – nature centers |
| 2014-02 | Counties – tourist development tax - taxation |
| 2013-29 | Tourist development tax, tourism |
| 2012-38 | Tourist development tax, uses |
| 2010-26 | Tourist development tax, subcounty special district |
| 2010-09 | Tourist development tax, used to stock lakes with fish |
| 2008-26 | Local option tourist development, convention centers |
| 2002-34 | Tourist development tax, taxability of boat slips |
| 2001-42 | Tourist development tax, purchase of beach property |
| 2000-56 | Use of tourist development tax to pay debt service |
| 2000-50 | Tourist development tax, welcome signs |
| 2000-29 | Tourist development tax, transfer of revenues |

9. Section 125.0104(7), F.S.

| | |
|---------|--|
| 2000-25 | Tourist development tax revenues |
| 2000-15 | Tourist development tax, use of tax for museum parking lot |
| 98-74 | Tourist development tax, construction of war memorial |
| 97-64 | Tourist development tax, convention development tax |
| 97-48 | Tourist development tax revenues for artificial reef |
| 97-13 | Tourist development tax, foreign national's residence |
| 96-54 | Tourist development tax funds for raceway facility |
| 96-26 | Tourist development tax, creation of second district |
| 95-71 | Tourist development tax, infrastructure surtax |
| 94-12 | County use of tourist development tax revenues for rail trail |
| 92-66 | Tourist development tax revenues, purchase of all terrain vehicles |
| 92-34 | Use of tourist development tax revenue |
| 92-16 | Tourist development tax – Concert in the Park |
| 92-03 | Clerk of Court's authority regarding tourist development tax |
| 91-62 | Tourist development tax revenues |
| 90-83 | Immunity from suit, county tourist development councils |
| 90-59 | Tourist development tax, hydrilla and weed control |
| 90-55 | Tourist development tax, beach facilities |
| 90-14 | Revenues derived from tourist development tax |
| 89-50 | Tourist tax revenues used for travel expenses |
| 88-49 | Use of tourist development tax |
| 88-37 | Local option tourist development tax |
| 87-16 | Use of tourist tax to improve shoreline |
| 86-96 | Authority to increase tourist development tax |
| 86-87 | Funds used for advertising |
| 86-68 | Use of tourist development tax to maintain beaches |
| 83-18 | Use of tourist tax for convention center |
| 79-30 | Tourist development tax, usage |
| 77-81 | Counties, tourist development tax |

The full texts of these opinions are available via a searchable on-line database.¹⁰ Local government officials seeking more clarification should review the opinions in their entirety. The reader should keep the date of the opinion in mind when reviewing its relevance to current law or any interpretations that have been articulated in Florida case law.

Tax Rates, Taxable Sales, and Estimates of Realized and Unrealized Revenues:

Optional tourist taxes can be a valuable revenue source for tourist facilities development and promotion, and the tables that follow are designed to aid counties in estimating how much revenue will be or could be generated from a tourist tax levy. Although these tables are useful in estimating revenues, the user should recognize their limitations. Besides seasonal factors and normal variations due to general economic conditions, county tourist tax revenues can be influenced by a variety of factors such as the value of the dollar, temporary surpluses or shortages in the stock of hotel and motel rooms, and the availability of convention facilities.

10. <http://myfloridalegal.com/ago.nsf/Opinions>

The first table to follow provides a historical summary of tourist and convention development tax impositions, expirations, rate changes, and repeals based on information obtained from the DOR.¹¹ The second table contains estimates of taxable sales reported by transient rental facilities on a county-by-county basis for the state fiscal year ending 2023. In order to calculate a revenue estimate using this table, take the county's estimate of taxable sales reported by transient rental facilities and multiply it by the county's applicable or proposed tax rate (i.e., 0.01, 0.02, or 0.03, etc.). The third table summarizes the counties eligible to levy the various local option tourist taxes and shows the applicable 2022 tax rates. The fourth table provides countywide estimates of realized and unrealized revenues during the state fiscal year ending 2023.

Additional Detail:

Additional information regarding each of the five individual authorizations to levy can be found in the sections immediately following the three tables previously discussed. Additional tourist development tax data can be found on the EDR's website.¹²

11. Florida Department of Revenue, *History of Local Sales Tax and Current Rates* (Last Updated: November 16, 2022) found at <https://floridarevenue.com/taxes/Documents/flHistorySalesTaxRates.pdf>

12. <http://edr.state.fl.us/Content/local-government/data/data-a-to-z/index.cfm>

History of Local Option Tourist Tax Levies

Summary of Impositions, Expirations, and Rate Changes

Active Levies, as of August 1, 2023, Are Noted in Bold Italics.

| County | Action | Rate | Effective Date | Expiration Date |
|---|-----------------------|-----------|---------------------|-----------------|
| 1 or 2 Percent Tax - s. 125.0104(3)(c), F.S. | | | | |
| <i>Alachua</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jun. 1, 1987</i> | - |
| <i>Baker</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>May 1, 2000</i> | - |
| <i>Bay (select zip codes)</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Mar. 1, 1986</i> | - |
| <i>Bradford</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Nov. 1, 1990</i> | - |
| <i>Brevard</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1986</i> | - |
| <i>Broward</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1980</i> | - |
| <i>Charlotte</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Apr. 1, 1984</i> | - |
| <i>Citrus</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1986</i> | - |
| <i>Clay</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1989</i> | - |
| Collier | Imposed Levy | 2% | Nov. 1, 1990 | Nov. 14, 1991 |
| <i>Collier</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1993</i> | - |
| <i>Columbia</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1984</i> | - |
| <i>DeSoto</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2011</i> | - |
| <i>Dixie</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2011</i> | - |
| <i>Duval</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1979</i> | - |
| <i>Escambia</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1980</i> | - |
| <i>Flagler</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1986</i> | - |
| <i>Franklin</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2005</i> | - |
| <i>Gadsden</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2003</i> | - |
| <i>Gilchrist</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2007</i> | - |
| <i>Glades</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2009</i> | - |
| <i>Gulf</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1999</i> | - |
| <i>Hamilton</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Nov. 1, 1996</i> | - |
| <i>Hardee</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2017</i> | - |
| <i>Hendry</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Feb. 1, 2003</i> | - |
| <i>Hernando</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1993</i> | - |
| <i>Highlands</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2003</i> | - |
| <i>Hillsborough</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Oct. 1, 1978</i> | - |
| <i>Holmes</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2005</i> | - |
| <i>Indian River</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Apr. 1, 1987</i> | - |
| <i>Jackson</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1999</i> | - |
| <i>Jefferson</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Feb. 1, 2007</i> | - |
| Lafayette | Imposed Levy | 1% | Sep. 1, 1991 | Aug. 31, 2006 |
| <i>Lake</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1984</i> | - |
| <i>Lee</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Nov. 1, 1982</i> | - |
| <i>Leon</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>May 1, 1988</i> | - |
| <i>Levy</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2003</i> | - |
| <i>Madison</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1999</i> | - |
| <i>Manatee</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1981</i> | - |
| <i>Marion</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 2005</i> | - |
| <i>Martin</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Nov. 1, 2002</i> | - |
| <i>Miami-Dade (select cities exempt)</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1978</i> | - |
| Monroe (Key West) | Imposed Levy | 2% | Dec. 1, 1981 | Mar. 31, 1984 |
| <i>Monroe (countywide)</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Apr. 1, 1984</i> | - |
| <i>Nassau (Amelia Island)</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1989</i> | - |
| <i>Okaloosa</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Nov. 1, 1989</i> | - |
| <i>Okeechobee</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1993</i> | - |
| <i>Orange</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>May 1, 1978</i> | - |
| <i>Osceola</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1977</i> | - |
| Palm Beach | Imposed Levy | 1% | Oct. 1, 1982 | Dec. 31, 1983 |
| <i>Palm Beach</i> | <i>Increased Rate</i> | <i>2%</i> | <i>Jan. 1, 1984</i> | - |
| <i>Pasco</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1991</i> | - |
| <i>Pinellas</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Nov. 1, 1978</i> | - |
| <i>Polk</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1986</i> | - |
| <i>Putnam</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Jan. 1, 1993</i> | - |
| <i>St. Johns</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Dec. 1, 1986</i> | - |
| <i>St. Lucie</i> | <i>Imposed Levy</i> | <i>2%</i> | <i>Nov. 1, 1984</i> | - |

History of Local Option Tourist Tax Levies

Summary of Impositions, Expirations, and Rate Changes

Active Levies, as of August 1, 2023, Are Noted in Bold Italics.

| County | Action | Rate | Effective Date | Expiration Date |
|---|---------------------|-----------|----------------------|-----------------|
| Santa Rosa | Imposed Levy | 2% | Jan. 1, 1992 | - |
| Sarasota | Imposed Levy | 2% | Nov. 1, 1988 | - |
| Seminole | Imposed Levy | 2% | Jan. 1, 1989 | - |
| Sumter | Imposed Levy | 2% | Jan. 1, 2005 | Sep. 30, 2020 |
| Suwannee | Imposed Levy | 2% | Jan. 1, 1991 | - |
| Taylor | Imposed Levy | 2% | Dec. 1, 1998 | - |
| Volusia | Imposed Levy | 2% | May 1, 1978 | - |
| Wakulla | Imposed Levy | 2% | Apr. 1, 1995 | - |
| Walton (select zip codes) | Imposed Levy | 2% | Oct. 1, 1986 | - |
| Walton (remainder of county) | Imposed Levy | 2% | Mar. 1, 2021 | - |
| Washington | Imposed Levy | 2% | Jan. 1, 2001 | - |
| Additional 1 Percent Tax - s. 125.0104(3)(d), F.S. | | | | |
| Alachua | Imposed Levy | 1% | Feb. 1, 1993 | - |
| Baker | Imposed Levy | 1% | Jan. 1, 2012 | - |
| Bay (select zip codes) | Imposed Levy | 1% | Feb. 1, 1997 | - |
| Bradford | Imposed Levy | 1% | Mar. 1, 2007 | - |
| Brevard | Imposed Levy | 1% | Dec. 1, 1989 | - |
| Broward | Imposed Levy | 1% | Aug. 1, 1987 | - |
| Charlotte | Imposed Levy | 1% | Jan. 1, 1993 | - |
| Citrus | Imposed Levy | 1% | Oct. 1, 2002 | - |
| Clay | Imposed Levy | 1% | Jun. 1, 1999 | - |
| Collier | Imposed Levy | 1% | Nov. 1, 1990 | Nov. 14, 1991 |
| Collier | Imposed Levy | 1% | Jan. 1, 1996 | - |
| Columbia | Imposed Levy | 1% | May 1, 1991 | Jul. 31, 1994 |
| Columbia | Imposed Levy | 1% | Apr. 1, 2010 | - |
| DeSoto | Imposed Levy | 1% | Jan. 1, 2015 | - |
| Dixie | Imposed Levy | 1% | Oct. 1, 2017 | - |
| Escambia | Imposed Levy | 1% | Mar. 1, 1988 | - |
| Flagler | Imposed Levy | 1% | Mar. 1, 2004 | - |
| Franklin | Imposed Levy | 1% | Jul. 1, 2021 | - |
| Gilchrist | Imposed Levy | 1% | Feb. 1, 2020 | - |
| Gulf | Imposed Levy | 1% | Feb. 1, 2002 | - |
| Hamilton | Imposed Levy | 1% | Jan. 1, 2002 | - |
| Hendry | Imposed Levy | 1% | May 1, 2007 | - |
| Hernando | Imposed Levy | 1% | Aug. 1, 1998 | - |
| Highlands | Imposed Levy | 1% | Aug. 1, 2018 | - |
| Hillsborough | Imposed Levy | 1% | Oct. 1, 1986 | - |
| Holmes | Imposed Levy | 1% | Jan. 1, 2018 | - |
| Indian River | Imposed Levy | 1% | Sep. 30, 1993 | - |
| Jackson | Imposed Levy | 1% | Aug. 1, 2004 | - |
| Jefferson | Imposed Levy | 1% | Nov. 1, 2017 | - |
| Lake | Imposed Levy | 1% | Apr. 1, 2003 | - |
| Lee | Imposed Levy | 1% | Mar. 1, 1988 | - |
| Leon | Imposed Levy | 1% | Jan. 1, 1994 | - |
| Levy | Imposed Levy | 1% | Jan. 1, 2020 | - |
| Madison | Imposed Levy | 1% | Dec. 1, 2002 | - |
| Manatee | Imposed Levy | 1% | Oct. 1, 1986 | - |
| Marion | Imposed Levy | 1% | Nov. 1, 2015 | - |
| Martin | Imposed Levy | 1% | May 1, 2008 | - |
| Monroe (Key West) | Imposed Levy | 1% | Nov. 1, 1986 | Jun. 30, 1987 |
| Monroe (countywide) | Imposed Levy | 1% | Jul. 1, 1987 | - |
| Nassau (Amelia Island) | Imposed Levy | 1% | Dec. 1, 2008 | - |
| Okaloosa | Imposed Levy | 1% | Jul. 1, 1999 | - |
| Okeechobee | Imposed Levy | 1% | Dec. 1, 1996 | - |
| Orange | Imposed Levy | 1% | Jun. 1, 1986 | - |
| Osceola | Imposed Levy | 1% | Jul. 1, 1986 | - |
| Palm Beach | Imposed Levy | 1% | Feb. 1, 1989 | - |
| Pasco | Imposed Levy | 1% | Oct. 1, 2017 | - |
| Pinellas | Imposed Levy | 1% | Jul. 1, 1988 | - |
| Polk | Imposed Levy | 1% | Oct. 1, 1990 | - |
| Putnam | Imposed Levy | 1% | Feb. 1, 2008 | - |

History of Local Option Tourist Tax Levies

Summary of Impositions, Expirations, and Rate Changes

Active Levies, as of August 1, 2023, Are Noted in Bold Italics.

| County | Action | Rate | Effective Date | Expiration Date |
|----------------------------------|---------------------|-----------|---------------------|-----------------|
| <i>St. Johns</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Jan. 1, 1992</i> | - |
| <i>St. Lucie</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Feb. 1, 1988</i> | - |
| <i>Santa Rosa</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Oct. 1, 1996</i> | - |
| <i>Sarasota</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Apr. 1, 1997</i> | - |
| <i>Seminole</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Jan. 1, 1993</i> | - |
| <i>Suwannee</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Jul. 1, 2011</i> | - |
| <i>Taylor</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Jan. 1, 2006</i> | - |
| <i>Wakulla</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Nov. 1, 2011</i> | - |
| <i>Walton (select zip codes)</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Feb. 1, 1999</i> | - |
| <i>Washington</i> | <i>Imposed Levy</i> | <i>1%</i> | <i>Jul. 1, 2006</i> | - |

TDT: Proposed Policy Statement by Maria Mitchell

The FLC supports legislative action in the annual tax package to provide for equitable distribution of local Tourism Development Tax revenues. Currently, a county that levies a TDT may self-administer the tax if the county adopts an ordinance providing for local collection and administration of the tax. In some instances, counties do not equitably distribute those funds to municipal government, despite significant TDT collection in those localities. It is proposed that funds be distributed to municipalities in proportion with revenues collected therefrom.



Key Dates



2023 - 2024 Key Legislative Dates

September 2023

- 8 FLC Legislative Policy Committee Meetings (Round 1) – Rosen Centre Orlando, 9840 International Drive, Orlando, FL 32819
- 18-22 Interim Legislative Committee Meetings (House only)

October 2023

- 6 FLC Legislative Policy Committee Meetings (Round 2) – Gaylord Palms Resort & Convention Center, 6000 West Osceola Parkway, Kissimmee, FL 34746
- 9-13 Interim Legislative Committee Meetings
- 16-20 Interim Legislative Committee Meetings
- 17-18 FAST Fly-In – Washington, D.C.

November 2023

- 6-9 Interim Legislative Committee Meetings
- 13-17 Interim Legislative Committee Meetings
- 16-18 NLC City Summit – Atlanta, GA
- 29-Dec. 1 FLC Legislative Conference – Hilton Orlando, 6001 Destination Parkway, Orlando, FL 32819

December 2023

- 4-7 Interim Legislative Committee Meetings
- 11-15 Interim Legislative Committee Meetings

January 2024

- 4 FLC Pre-Legislative Session Webinar at 2:00 p.m. ET



January 2024 continued

- 9 Regular Legislative Session Convenes
- 29-31 FLC Legislative Action Days – Tallahassee, FL

March 2024

- 8 Last Day of Regular Legislative Session
- 11-13 NLC Congressional City Conference – Washington, DC
- 19 FLC Post-Legislative Session Webinar at 2:00 p.m. ET

For further details about the mentioned events, contact medenfield@flicities.com.



Home Rule Hero Criteria

Do you want to become a **HOME RULE HERO?**

AS THE ADAGE GOES, "ALL POLITICS IS LOCAL." Successful advocacy starts at home, not in Tallahassee. No one – not even a professional lobbyist – can tell your community's story better than you. Your involvement helps the League's legislative team turn the abstract into concrete. It is essential to help legislators understand how their decisions may impact their communities back home.

The League appreciates the individual advocacy efforts undertaken by municipal officials throughout the state. Each year, there are some League members who make an extraordinary effort; people who stand out for their high level of participation and effectiveness. The Home Rule Hero Award was created to acknowledge and thank them for their efforts. Hundreds of municipal officials have been recognized as "Home Rule Heroes" since the award's inception in 2009, and we thank you!

Home Rule Hero Award recipients are selected by the League's legislative team following each legislative session.

For the award, the most important criteria are timely responses and actions to FLC's Legislative Alerts, and notifying FLC staff of communications with your legislators.

Other exceptional efforts are:

- Attending the Florida League of Cities' Legislative Action Days in Tallahassee and Legislative Conference.
- Testifying before a House or Senate committee on an FLC priority issue, when a call to action has been sent out.
- Participating in FLC's Monday Morning "Call-ins" during session and on FLC's pre-and post-legislative session webinars.
- Participating in FLC's Legislator "Key Contact" program.
- Meeting legislators in their districts or in Tallahassee.
- Responding to FLC requests for information and data about how proposed legislation will specifically impact your city (telling your city's "story").
- Speaking at local legislative delegation meetings to discuss FLC municipal issues.
- Setting up opportunities for legislators and their staff to attend a city council meeting or special event; tour a park, project or facility; and attend a local league meeting.
- Serving on a FLC legislative policy committee.
- Participating in a Federal Action Strike Team fly-in to Washington, D.C.
- During an election year, providing opportunities for candidates for legislative offices to learn about your city and its issues, and introducing candidates to key city stakeholders or those in your professional network.

For more information on these activities and ways to step up your advocacy game, please contact Allison Payne at apayne@flcities.com.





Notes

