



FTA-PP-02: EXTENDING THE CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX TO NON-CHARTER COUNTIES

COMMITTEE RECOMMENDATION: ADOPT AND AMEND

RECOMMENDED AMENDED STATEMENT: PROPOSED POLICY: SUPPORT modification to existing laws to allow for the enactment by referendum of the Charter County and Regional Transportation System Surtax for those non-charter counties not currently authorized to levy the surtax.

PROPOSED POLICY: SUPPORT modification to existing laws to allow for the enactment of the Transportation Sales Surtax for non-charter counties.

BACKGROUND: Tax reform measures that simplify administration and provide an economic boost to Florida's taxpayers are essential. These measures must consider and minimize the collective and cumulative negative impact on local revenues, including state-shared and local discretionary revenue sources that are critical to local governments in providing community services. To accomplish this objective, Marion County recommends the following: Enact a law allowing non-charter counties in Florida the opportunity to levy a transportation sales surtax similar to charter counties.

ANALYSIS: The enactment of the transportation sales surtax for non-charter counties will provide a much-needed revenue source to all non-charter counties in the state in order to fund transportation capital projects, especially since the local gas tax is not indexed and inflation has diminished purchasing power.

FISCAL IMPACT: Marion County has an annual shortfall of approximately \$10 million for capital maintenance projects and a backlog of \$300 million for local transportation capacity projects.

FAC STAFF NOTES:

- FAC 2022 Policy Conference
 - o FTA-PP-03 and FTA-PP-04 sponsors agreed to consolidate their proposals
 - o The proposals were recommended by the committee to be combined and amended into one proposal, FTA-PP-02
- Statutes:
 - o [S. 212.055](#), F.S. – *Discretionary Sales Surtaxes; Legislative Intent; Authorization and Use of*
 - “Each charter county that has adopted a charter, each county the government of which is consolidated with that of one or more municipalities, and each county that is within or under an interlocal



agreement with a regional transportation or transit authority created under chapter 343 or chapter 349 may levy a discretionary sales surtax, subject to approval by a majority vote of the electorate of the county or by a charter amendment approved by a majority vote of the electorate of the county.”

- Non-charter counties that are currently eligible are Hernando, Manatee, and Pasco Counties.
- Three counties currently levy this surtax – Broward at 1%, Duval at 0.5%, and Miami-Dade at 0.5%.
- Florida Constitution:
 - o [Article VIII, Section 1\(f\)](#) reads: Counties not operating under county charters shall have such power of self-government as is provided by general or special law.
 - As it stands, state statute does not broadly authorize non-charter counties to levy the surtax.
- Previous FAC Statements & Guiding Principles:
 - o FTA-PP-03 (2021):
 - SUPPORT modification to existing laws to allow for enactment of the Transportation System Surtax for non-charter counties.
 - o Guiding Principle FTA 4.
 - The Florida Association of Counties supports measures that enhance the effectiveness of existing local revenue sources to meet current and future public service demands.

SUBMITTING COUNTY AND CONTACT: Marion – Matthew Cretul
matthew.cretul@marionfl.org (352) 817-3139

ASSIGNED COMMITTEE: FTA

BOARD SUPPORT: Yes

UNFUNDED MANDATE: No

PROTECTIVE OF HOME RULE: N/A