

By Commissioner Sprowls

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1                   A proposal to amend  
2           Section 9 of Article VII of the State Constitution to  
3           prohibit certain special districts, except ones  
4           created for water management purposes, from levying ad  
5           valorem taxes after January 7, 2029, or 10 years after  
6           the date of voter approval for such authority,  
7           whichever is later; to grant districts authority to  
8           levy ad valorem taxes beyond that date under certain  
9           circumstances; to authorize the grant or renewal of  
10          the authority by referendum for 10-year periods if  
11          certain conditions are met; to require ballot  
12          proposals to include specified language; to require  
13          the Legislature to dissolve, merge, consolidate, or  
14          provide for appropriate disposition of special  
15          districts if the referendum fails; to authorize debt  
16          secured by ad valorem taxes and incurred before  
17          January 7, 2019, to be refinanced under certain  
18          circumstances; and to prohibit special districts from  
19          pledging ad valorem tax revenue to repay or  
20          restructure debt incurred after a specified date under  
21          certain circumstances.

22  
23 Be It Proposed by the Constitution Revision Commission of  
24 Florida:

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26           Section 9 of Article VII of the State Constitution is  
27 amended to read:

28                                   ARTICLE VII

29   FINANCE AND TAXATION

30           SECTION 9. Local taxes.—

31           (a) Counties, school districts, and municipalities shall,  
32 and special districts may, be authorized by law to levy ad

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33 valorem taxes and may be authorized by general law to levy other  
34 taxes, for their respective purposes, except ad valorem taxes on  
35 intangible personal property and taxes prohibited by this  
36 constitution.

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

54 (c) (1) a. The authority of a special district to levy ad  
55 valorem taxes shall expire the later of January 7, 2029, or ten  
56 years after the date of approval of such authority by vote of  
57 the electors who are the owners of freeholds therein not wholly  
58 exempt from taxation.

59 b. Notwithstanding subparagraph a., if debt incurred by a  
60 special district prior to January 7, 2019, matures later than  
61 January 7, 2029, and repayment of the debt is secured by a

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62 pledge of ad valorem tax revenues, the district's authority to  
63 levy ad valorem taxes shall expire on the final maturity date of  
64 the debt. Such debt may be refinanced after January 7, 2019, but  
65 the final maturity date of the debt may not be extended beyond  
66 the date of the original debt.

67 c. A special district may not pledge revenue from its ad  
68 valorem tax authority to repay debt incurred after January 7,  
69 2019, if the pledge would require or allow debt service payments  
70 to be made after the earlier of ten years after issuance of the  
71 debt or the date of expiration of the district's ad valorem tax  
72 authority.

73 (2)a. A special district referendum to obtain initial  
74 authority to levy ad valorem taxes or to renew an existing  
75 authority to levy ad valorem taxes, must include in the ballot  
76 proposal the public purpose for which the authority to levy ad  
77 valorem taxes is sought; the number of years, which shall not  
78 exceed ten years, for which the authority will be in effect; and  
79 the millage limit.

80 b. In the general election held prior to the expiration  
81 date provided in subparagraph (1)a. or (1)b., the electors who  
82 are the owners of freeholds within the district not wholly  
83 exempt from taxation may vote to renew the authority to levy ad  
84 valorem taxes for a period not to exceed ten years. There is no  
85 limit to the number of times the authority to levy ad valorem  
86 taxes may be renewed under this subparagraph.

87 (3) The legislature shall provide by general or special law  
88 for the dissolution, merger, consolidation, or other appropriate  
89 disposition of each special district for which the authority to  
90 levy ad valorem taxes has expired.

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91       (4) This subsection does not apply to special districts  
92       created by general law for water management purposes.