

By Commissioner Evans-Jones

8 It is proposed by the Florida Constitution Revision Commission
9 that:

11 Section 1. Section 1 of Article VII of the Florida
12 Constitution is revised by amending that section to read:

ARTICLE VII

FINANCE AND TAXATION

15 SECTION 1. Taxation; appropriations; state expenses;
16 state revenue limitation; taxable uses of governmental
17 property.--

27 (c) No money shall be drawn from the treasury except
28 in pursuance of appropriation made by law.

29 (d) Provision shall be made by law for raising
30 sufficient revenue to defray the expenses of the state for
31 each fiscal period.

(e) Except as provided herein, state revenues collected for any fiscal year shall be limited to state revenues allowed under this subsection for the prior fiscal year plus an adjustment for growth. As used in this subsection, "growth" means an amount equal to the average annual rate of growth in Florida personal income over the most recent twenty quarters times the state revenues allowed under this subsection for the prior fiscal year. For the 1995-1996 fiscal year, the state revenues allowed under this subsection for the prior fiscal year shall equal the state revenues collected for the 1994-1995 fiscal year. Florida personal income shall be determined by the legislature, from information available from the United States Department of Commerce or its successor on the first day of February prior to the beginning of the fiscal year. State revenues collected for any fiscal year in excess of this limitation shall be transferred to the budget stabilization fund until the fund reaches the maximum balance specified in Section 19(g) of Article III, and thereafter shall be refunded to taxpayers as provided by general law. State revenues allowed under this subsection for any fiscal year may be increased by a two-thirds vote of the membership of each house of the legislature in a separate bill that contains no other subject and that sets forth the dollar amount by which the state revenues allowed will be increased. The vote may not be taken less than seventy-two hours after the third reading of the bill. For purposes of this subsection, "state revenues" means taxes, fees, licenses, and charges for services imposed by the legislature on individuals, businesses, or agencies outside state government. However, "state revenues" does not include revenues that are necessary to meet the requirements set forth

1 in documents authorizing the issuance of bonds by the state;
2 revenues that are used to provide matching funds for the
3 federal Medicaid program with the exception of the revenues
4 used to support the Public Medical Assistance Trust Fund or
5 its successor program and with the exception of state matching
6 funds used to fund elective expansions made after July 1,
7 1994; proceeds from the state lottery returned as prizes;
8 receipts of the Florida Hurricane Catastrophe Fund; balances
9 carried forward from prior fiscal years; taxes, licenses,
10 fees, and charges for services imposed by local, regional, or
11 school district governing bodies; or revenue from taxes,
12 licenses, fees, and charges for services required to be
13 imposed by any amendment or revision to this constitution
14 after July 1, 1994. An adjustment to the revenue limitation
15 shall be made by general law to reflect the fiscal impact of
16 transfers of responsibility for the funding of governmental
17 functions between the state and other levels of government.
18 The legislature shall, by general law, prescribe procedures
19 necessary to administer this subsection.

20 (f) Property that is owned by an immune or exempt
21 governmental entity becomes taxable if it is used by a private
22 entity in any manner other than exclusively for nonproprietary
23 governmental purposes or charitable, literary, religious,
24 scientific, or educational purposes.

25

26

27

28

29

30

31