



## Legislation Details (With Text)

**File #:** 18-0755

**Type:** Consent      **Status:** Agenda Ready

**In control:** Board of County Commissioners

**On agenda:** 9/11/2018      **Final action:**

**Title:** APPROVE THE REQUEST BY THE MARTIN COUNTY SCHOOL BOARD FOR REVISED REFERENDUM LANGUAGE ON A ONE HALF CENT SALES SURTAX ON THE NOVEMBER 16, 2018 BALLOT

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 18-02(b).pdf

Date	Ver.	Action By	Action	Result
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**PLACEMENT:** Consent

**TITLE:**

**APPROVE THE REQUEST BY THE MARTIN COUNTY SCHOOL BOARD FOR REVISED REFERENDUM LANGUAGE ON A ONE HALF CENT SALES SURTAX ON THE NOVEMBER 16, 2018 BALLOT**

**EXECUTIVE SUMMARY:**

The County Attorney received correspondence from the Martin County School Board Attorney that the ballot language approved for the November 6, 2018 General Election Ballot referendum on the question of the levy of a one half cent school sales surtax for a 7 year period which set forth a February 1, 2019 start date was incorrect and according to the Florida Department of Revenue must be changed to January 1, 2019.

**DEPARTMENT:** County Attorney

**PREPARED BY:** **Name:** Sarah W. Woods  
**Title:** County Attorney

**REQUESTED BY:**

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

On May 22, 2018 the Board authorized the placement of the referendum authorized by Martin County School Board Resolution 18-02 on the November 6, 2018 General Election Ballot. Resolution 18-02:

Section 212.055(6), Fla. Stat. authorizes the school board to levy a one-half cent sales surtax subject to approval by a majority of voters in Martin County. Section 212.055(6)(b), Fla. Stat. provides, in part, that upon passage of a resolution levying such sales tax the sales tax question conforming to Section 101.161, Fla. Stat. shall be placed on the ballot by the governing board of the County.

Recently, the Florida Department of Revenue advised the School Board that the February 1, 2019 effective date in the ballot language was incorrect and should be January 1, 2019. On September 4, 2018 the School Board approved Resolution 2018-02(b) which revised the effective date for the half cent sales surtax to begin January 1, 2019 as recommended by the Florida Department of Revenue.

**ISSUES:**

None

**LEGAL SUFFICIENCY REVIEW:**

There is no legal sufficiency required for this item.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

Move that the Board authorize placement of the Martin County School Board revised ballot language contained in School Board Resolution 2018-02(b) concerning the levy of a half-cent sales surtax for seven years to begin January 1, 2019 on the November 6, 2018 General Election Ballot which will be provided to the Supervisor of Elections for formal action.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from the Consent Agenda.

**FISCAL IMPACT:**

**RECOMMENDATION**

Since this will be a General Election, costs to be incurred are minimal.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- ☐ Budget Transfer / Amendment   ☐ Chair Letter   ☐ Contract / Agreement  
☐ Grant / Application   ☐ Notice   ☐ Ordinance   ☐ Resolution  
☐ Other: