

**LOST**

1 Senators Fort of the 39th and Tate of the 38th offered the following amendment:

2 Amend the Senate State and Local Governmental Operations Committee substitute to HB 36  
3 by striking all of paragraph (4) on lines 4 through 21 of page 8 and inserting in lieu thereof  
4 the following:

5 "(4) Except as otherwise provided in this paragraph, a distribution certificate required by  
6 this subsection must be executed by the governing authorities of the county within which  
7 the special district is located and each new qualified municipality located wholly or  
8 partially within the special district. If a new certificate is not filed within 60 days as  
9 required by paragraph (3) of this subsection, the commissioner shall distribute the  
10 proceeds of the tax according to a formula determined as follows:

11 (A) Allocate to the new qualified municipality a hypothetical allocation of the proceeds  
12 equal on a per capita basis to the average per capita allocation to the other qualified  
13 municipalities in the county (according to population), thereby producing a total  
14 allocation to all local governments in excess of 100 percent; and

15 (B) Reduce on a pro rata basis (according to percentage of tax proceeds):

16 (i) The allocation to the county;

17 (ii) The hypothetical allocation to the new qualified municipality; and

18 (iii) The allocation to each other qualified municipality

19 so that the total allocation to all local governments is equal to 100 percent.

20 For the purpose of determining the population of new qualified municipalities, only that  
21 portion of the population of each such municipality which is located within the special  
22 district shall be computed. For the purpose of determining population under this Code  
23 section, all calculations of population shall be according to the most recent decennial  
24 census."