

Bill No. CS for SB's 128 & 1598

Amendment No.      Barcode 783332

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Carlton moved the following amendment:

**Senate Amendment (with title amendment)**

On page 1, line 10,

insert:

Section 1. Subsection (6) is added to section 236.25, Florida Statutes, to read:

236.25 District school tax.--

(6) In addition to the maximum millage levied under this section and the General Appropriations Act, a school district may levy, by local referendum or in a general election, additional millage for school operational purposes up to an amount that, when combined with nonvoted millage levied under this section, does not exceed the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Any such levy shall be for a maximum of 4 years and shall be counted as part of the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Millage elections conducted under the authority granted pursuant to this section are subject to ss. 236.31 and 236.32. Funds generated by such

Bill No. CS for SB's 128 & 1598

Amendment No. \_\_\_\_ Barcode 783332

1 additional millage do not become a part of the calculation of  
2 the Florida Education Finance Program total potential funds in  
3 2001-2002 or any subsequent year and must not be incorporated  
4 in the calculation of any hold-harmless or other component of  
5 the Florida Education Finance Program formula in any year.

6 Section 2. Section 236.31, Florida Statutes, is  
7 amended to read:

8 236.31 District millage elections.--

9 (1) The school board, pursuant to resolution adopted  
10 at a regular meeting, shall direct the county commissioners to  
11 call an election at which the electors within the school  
12 districts may approve an ad valorem tax millage as authorized  
13 in s. 9, Art. VII of the State Constitution. Such election may  
14 be held at any time, except that not more than one such  
15 election shall be held during any 12-month period. Any  
16 millage so authorized shall be levied for a period not in  
17 excess of 2 years or until changed by another millage  
18 election, whichever is the earlier. In the event any such  
19 election is invalidated by a court of competent jurisdiction,  
20 such invalidated election shall be considered not to have been  
21 held.

22 (2) The school board, pursuant to resolution adopted  
23 at a regular meeting, shall direct the county commissioners to  
24 call an election at which the electors within the school  
25 district may approve an ad valorem tax millage as authorized  
26 under s. 236.25(6). Such election may be held at any time,  
27 except that not more than one such election shall be held  
28 during any 12-month period. Any millage so authorized shall be  
29 levied for a period not in excess of 4 years or until changed  
30 by another millage election, whichever is earlier. If any such  
31 election is invalidated by a court of competent jurisdiction,

Bill No. CS for SB's 128 & 1598

Amendment No.      Barcode 783332

1 such invalidated election shall be considered not to have been  
2 held.

3 Section 3. Section 236.32, Florida Statutes, is  
4 amended to read:

5 (Substantial rewording of section. See  
6 s. 236.32, F.S., for present text.)

7 236.32 Procedures for holding and conducting school  
8 district millage elections.--

9 (1) HOLDING ELECTIONS.--All school district millage  
10 elections shall be held and conducted in the manner prescribed  
11 by law for holding general elections, except as provided in  
12 this chapter.

13 (2) FORM OF BALLOT.--

14 (a) The school board may propose a single millage or  
15 two millages, with one for operating expenses and another for  
16 a local capital improvement reserve fund. When two millage  
17 figures are proposed, each millage must be voted on  
18 separately.

19 (b) The school board shall provide the wording of the  
20 substance of the measure and the ballot title in the  
21 resolution calling for the election. The wording of the  
22 ballot must conform to the provisions of s. 101.161.

23 (3) QUALIFICATION OF ELECTORS.--All qualified electors  
24 of the school district are entitled to vote in the election to  
25 set the school tax district millage levy.

26 (4) RESULTS OF ELECTION.--When the school board  
27 proposes one tax levy for operating expenses and another for  
28 the local capital improvement reserve fund, the results shall  
29 be considered separately. The tax levy shall be levied only  
30 in case a majority of the electors participating in the  
31 election vote in favor of the proposed special millage.

Bill No. CS for SB's 128 & 1598

Amendment No.      Barcode 783332

1           (5) EXPENSES OF ELECTION.--The cost of the publication  
 2 of the notice of the election and all expenses of the election  
 3 in the school district shall be paid by the school board.

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5 (Redesignate subsequent sections.)

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8 ===== T I T L E    A M E N D M E N T =====

9 And the title is amended as follows:

10           On page 1, lines 2 and 3, delete those lines

11  
12 and insert:

13           An act relating to taxation; amending s.  
 14           236.25, F.S.; allowing certain school districts  
 15           to levy, by referendum, additional district  
 16           school taxes; providing limitations on the uses  
 17           of the resulting revenues; amending s. 236.31,  
 18           F.S.; providing for millage elections pursuant  
 19           to s. 236.25, F.S.; amending s. 236.32, F.S.;  
 20           revising the procedures for conducting school  
 21           district millage elections; amending s.  
 22           199.185, F.S.; increasing

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