

Bill No. HB 21, 1st Eng.

Amendment No.      Barcode 112476

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Carlton moved the following substitute for amendment (161740):

**Senate Amendment (with title amendment)**

On page 1, line 15, through  
page 2, line 3, delete those lines

and 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

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1 conducted under the authority granted pursuant to this section  
2 are subject to ss. 236.31 and 236.32. Funds generated by such  
3 additional millage do not become a part of the calculation of  
4 the Florida Education Finance Program total potential funds in  
5 2001-2002 or any subsequent year and must not be incorporated  
6 in the calculation of any hold-harmless or other component of  
7 the Florida Education Finance Program formula in any year.

8 Section 2. Section 236.31, Florida Statutes, is  
9 amended to read:

10 236.31 District millage elections.--

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

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

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1 by another millage election, whichever is earlier. If any such  
2 election is invalidated by a court of competent jurisdiction,  
3 such invalidated election shall be considered not to have been  
4 held.

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

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

9 236.32 Procedures for holding and conducting school  
10 district millage elections.--

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

15 (2) FORM OF BALLOT.--

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

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

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

28 (4) RESULTS OF ELECTION.--When the school board  
29 proposes one tax levy for operating expenses and another for  
30 the local capital improvement reserve fund, the results shall  
31 be considered separately. The tax levy shall be levied only

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1 in case a majority of the electors participating in the  
2 election vote in favor of the proposed special millage.

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

6  
7 (Redesignate subsequent sections.)

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

11 And the title is amended as follows:

12 On page 1, lines 2-7, delete those lines

13  
14 and insert:

15 An act relating to taxation; amending s.  
16 236.25, F.S.; allowing certain school districts  
17 to levy, by referendum, additional district  
18 school taxes; providing limitations on the uses  
19 of the resulting revenues; amending s. 236.31,  
20 F.S.; providing for millage elections pursuant  
21 to s. 236.25, F.S.; amending s. 236.32, F.S.;  
22 revising the procedures for conducting school  
23 district millage elections; amending s.  
24 199.185, F.S.;

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