

Bill No. CS for CS for SB 2108, 1st Eng.

Amendment No. Barcode 831180

<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 94, between lines 22 and 23,

insert:

Section 38. 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

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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 39. 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,

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

3 Section 40. 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.

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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 7, line 22, following the semicolon

11
12 insert:

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

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