



HB 0071

2003
CS

CHAMBER ACTION

The Committee on Education K-20 recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to funding for school districts;
authorizing district school boards to expend in their
operating budgets nonvoted capital improvement millage;
specifying certain conditions and restrictions; providing
for transfer of proceeds by budget amendment approved by
the district school board; requiring fulfillment of
district school board obligations; providing an effective
date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. (1) Notwithstanding any other provision of
law, if a district school board or the governing authority in a
county is levying, or in the past 10 years has levied, at least
a 0.5-percent sales surtax for public school capital outlay
authorized by s. 212.055, Florida Statutes, the district school
board is authorized to expend in its operating budget as
nonrecurring funds up to 2 mills of its nonvoted capital



HB 0071

2003
CS

29 improvement millage levied pursuant to s. 1011.71(2), Florida
30 Statutes, to fund up to the state average of per-student
31 funding. This authorized use of proceeds from the millage levy
32 is in addition to the authorized uses set forth in s. 1011.71,
33 Florida Statutes. Any proceeds from this millage levy shall be
34 transferred by budget amendment approved by the district school
35 board at a regular meeting of the district school board.

36 (2) A district school board shall be authorized to expend
37 in its operating budget the nonvoted capital improvement millage
38 specified in subsection (1) for 10 years after the date the
39 sales surtax specified in subsection (1) expires. Such
40 expenditures are restricted to those that will not constitute a
41 recurring obligation following the 10-year period. For each year
42 the district school board expends in its operating budget the
43 nonvoted capital improvement millage specified in subsection
44 (1), the district school board shall submit to the Department of
45 Education certified notice that such recurring obligation has
46 not been entered into.

47 (3) Beginning in 2004 and until 2008, the Department of
48 Education shall determine by January 15 of each year if a
49 district school board expending flexible funds under this
50 section has met the two-student-per-year reduction required by
51 the class size reduction schedule adopted by the Legislature. If
52 a school district is found by the department not to have met the
53 class size reduction schedule for the preceding year, the school
54 district may not use the proceeds from the millage levy pursuant
55 to subsection (1) in any following year.



HB 0071

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CS

56 (4) The district school board shall also submit to the
57 Department of Education certified notice that, for 5 years
58 following each year it expends in its operating budget the
59 nonvoted capital improvement millage specified in subsection
60 (1), the district school board will fulfill its obligation needs
61 as delineated through the district 5-year work plan and required
62 for purposes of compliance with the class size reduction
63 schedule, as enacted by the Legislature, through a combination
64 of the school district's share of legislative appropriations as
65 appropriated to all school districts, locally voted and nonvoted
66 revenues, and bonds or certificates of participation financed
67 through locally generated revenue.

68 (5) To use the proceeds from the millage levy pursuant to
69 subsection (1), the population of a county in which the school
70 district is located must not exceed 500,000.

71 Section 2. This act shall take effect July 1, 2003.

72