

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Mayfield offered the following:

**Amendment (with title amendment)**

Between line(s) 1121 and 1122, insert:

Section 50. In order to implement Specific Appropriation 62 of the 2003-2004 General Appropriations Act, paragraph (f) is added to subsection (4) of section 206.41, Florida Statutes, to read:

206.41 State taxes imposed on motor fuel.--

(4)

(e)1. The portion of the tax imposed by paragraph (1)(g) which results from the collection of such tax paid by a school district or a private contractor operating school buses for a school district or by a nonpublic school on motor fuel or diesel fuel for use in a motor vehicle operated by such district, private contractor, or nonpublic school shall be returned to the governing body of such school district or to such nonpublic

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28 school. A school district, when licensed as a local government  
29 user, shall be entitled to take a credit on the monthly diesel  
30 fuel tax return not to exceed the tax imposed under paragraphs  
31 (1)(b) and (g) on those gallons which would otherwise be  
32 eligible for refund.

33 2. Funds returned to school districts shall be used to  
34 fund construction, reconstruction, and maintenance of roads and  
35 streets within the school district required as a result of the  
36 construction of new schools or the renovation of existing  
37 schools. The school board shall select the projects to be  
38 funded; however, the first priority shall be given to projects  
39 required as the result of the construction of new schools,  
40 unless a waiver is granted by the affected county or municipal  
41 government. Funds returned to nonpublic schools shall be used  
42 for transportation-related purposes.

43 (f) Notwithstanding paragraph (e), a district school board  
44 that has completely addressed district needs associated with the  
45 construction, reconstruction, and maintenance of roads and has a  
46 fund balance remaining may expend such balance on student  
47 transportation. Funds transferred pursuant this paragraph for  
48 student transportation shall not exceed the actual cost of  
49 providing such transportation. This paragraph expires July 1,  
50 2004.

51 Section 51. In order to implement Specific Appropriation  
52 62 of the 2003-2004 General Appropriations Act, subsection (3)  
53 is added to section 206.625, Florida Statutes, to read:

54 206.625 Return of tax to municipalities, counties, and  
55 school districts.--

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56 (2) Those portions of the county fuel tax imposed by s.  
 57 206.41(1)(b) which result from the collection of such tax paid  
 58 by a school district, or by a private contractor operating  
 59 school buses for a school district, on motor fuel for use in a  
 60 motor vehicle operated by such district or private contractor  
 61 shall be returned to the governing body of each such school  
 62 district according to the administrative procedures in s. 206.41  
 63 to be used to fund construction, reconstruction, and maintenance  
 64 of roads and streets within the school district required as a  
 65 result of new school construction or renovation of existing  
 66 schools. The school board shall select the projects to be  
 67 funded; however, first priority shall be given to projects  
 68 required as the result of new school construction, unless a  
 69 waiver is granted by the affected county or municipal  
 70 government.

71 (3) Notwithstanding subsection (2), a district school  
 72 board that has completely addressed district needs associated  
 73 with the construction, reconstruction, and maintenance of roads  
 74 and has a fund balance remaining may expend such balance on  
 75 student transportation. Funds transferred pursuant this  
 76 paragraph for student transportation shall not exceed the actual  
 77 cost of providing such transportation. This subsection expires  
 78 July 1, 2004.

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

81 Between line(s) 120 and 121, insert:  
 82 amending ss. 206.41 and 206.625, F.S.; authorizing, for purposes  
 83 of implementing certain specific appropriations in the 2003-2004  
 84 General Appropriations Act, school district boards to expend

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85 certain excess fund balances on student transportation under  
86 certain circumstances; providing a limitation;