

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Mayfield offered the following:

Amendment to Amendment (648269) (with title amendment)

Between lines 993 and 994, 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 lines 1161 and 1162, 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;