

By Senator Wise

5-791A-04

1 A bill to be entitled
2 An act relating to the district school tax;
3 amending s. 1011.71, F.S.; continuing
4 indefinitely a provision, previously applicable
5 only in the 2003-2004 fiscal year, which allows
6 a specified tax levy to be used to offset the
7 cost of school buses purchased through
8 contracts with private providers; amending s.
9 200.065, F.S., relating to the method of fixing
10 millage, to conform; providing an effective
11 date.

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

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15 Section 1. Paragraph (i) is added to subsection (2) of
16 section 1011.71, Florida Statutes, as amended by sections 17
17 and 18 of chapter 2003-399, Laws of Florida, to read:

18 1011.71 District school tax.--

19 (2) In addition to the maximum millage levy as
20 provided in subsection (1), each school board may levy not
21 more than 2 mills against the taxable value for school
22 purposes to fund:

23 (i) Payment of the cost of school buses when a school
24 district contracts with a private entity to provide student
25 transportation services if the district meets the requirements
26 of this paragraph.

27 1. The district's contract must require that the
28 private entity purchase, own, operate, and maintain one or
29 more school buses of a specific type and size that meet the
30 requirements of s. 1006.25.

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1 2. Each such school bus must be used for the daily
2 transportation of public school students in the manner
3 required by the school district.

4 3. Payment for each such school bus may not exceed 10
5 percent of the purchase price of the state pool bid.

6 4. The proposed expenditure of the funds for this
7 purpose must have been included in the district school board's
8 notice of proposed tax for school capital outlay as provided
9 in s. 200.065(9).

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11 Violations of these expenditure provisions shall result in an
12 equal dollar reduction in the Florida Education Finance
13 Program (FEFP) funds for the violating district in the fiscal
14 year following the audit citation.

15 Section 2. Paragraph (a) of subsection (9) of section
16 200.065, Florida Statutes, is amended to read:

17 200.065 Method of fixing millage.--

18 (9)(a) In addition to the notice required in
19 subsection (3), a district school board shall publish a second
20 notice of intent to levy additional taxes under s. 1011.71(2).
21 Such notice shall specify the projects or number of school
22 buses anticipated to be funded by such additional taxes and
23 shall be published in the size, within the time periods,
24 adjacent to, and in substantial conformity with the
25 advertisement required under subsection (3). The projects
26 shall be listed in priority within each category as follows:
27 construction and remodeling; maintenance, renovation, and
28 repair; motor vehicle purchases; new and replacement
29 equipment; payments for educational facilities and sites due
30 under a lease-purchase agreement; payments for renting and
31 leasing educational facilities and sites; payments of loans

1 approved pursuant to ss. 1011.14 and 1011.15; payment of costs
2 of compliance with environmental statutes and regulations; ~~and~~
3 payment of costs of leasing relocatable educational
4 facilities; and payments to private entities to offset the
5 cost of school buses pursuant to s. 1011.71(1)(i). The
6 additional notice shall be in the following form, except that
7 if the district school board is proposing to levy the same
8 millage under s. 1011.71(2) which it levied in the prior year,
9 the words "continue to" shall be inserted before the word
10 "impose" in the first sentence, and except that the second
11 sentence of the second paragraph shall be deleted if the
12 district is advertising pursuant to paragraph (3)(e):

13
14 NOTICE OF TAX FOR SCHOOL
15 CAPITAL OUTLAY
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17 The ...(name of school district)... will soon consider
18 a measure to impose a ...(number)... mill property tax for the
19 capital outlay projects listed herein.

20 This tax is in addition to the school board's proposed
21 tax of ...(number)... mills for operating expenses and is
22 proposed solely at the discretion of the school board. THE
23 PROPOSED COMBINED SCHOOL BOARD TAX INCREASE FOR BOTH OPERATING
24 EXPENSES AND CAPITAL OUTLAY IS SHOWN IN THE ADJACENT NOTICE.

25 The capital outlay tax will generate approximately
26 \$...(amount)..., to be used for the following projects:

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28 ...(list of capital outlay projects)...
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30 All concerned citizens are invited to a public hearing
31 to be held on ...(date and time)... at ...(meeting place)....

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A DECISION on the proposed CAPITAL OUTLAY TAXES will be made at this hearing.

Section 3. This act shall take effect July 1, 2004.

SENATE SUMMARY

Continues indefinitely a provision, previously applicable only in fiscal year 2003-2004, which allows the optional 2-mill district school tax levy to be used to offset the cost of school buses purchased through contracts with private providers.