

By Senator Sebesta

16-1885-04

See HB 79

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A bill to be entitled
An act relating to school district millage;
amending s. 1011.71, F.S.; including property
insurance costs within authorized purposes for
school district millage levy funding; amending
s. 1011.73, F.S.; increasing the maximum term
for imposition of certain school district
millage levies approved by district voters for
certain purposes; providing an effective date.

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

Section 1. Paragraph (i) of subsection (2) and
paragraph (a) of subsection (5) of section 1011.71, Florida
Statutes, are amended to read:

1011.71 District school tax.--

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

(i) Payment of property insurance costs ~~For the
2003-2004 fiscal year only, the payment of the cost of school
buses when a school district contracts with a private entity
to provide student transportation services if the district
meets the requirements of this paragraph. This paragraph
expires July 1, 2004.~~

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

1 ~~2. Each such school bus shall 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 shall not exceed~~
5 ~~10 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).~~

10
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 (5)(a) It is the intent of the Legislature that, by
16 July 1, 2003, revenue generated by the millage levy authorized
17 by subsection (2) should be used only for the costs of
18 construction, renovation, remodeling, maintenance, property
19 insurance, and repair of the educational plant; for the
20 purchase, lease, or lease-purchase of equipment, educational
21 plants, and construction materials directly related to the
22 delivery of student instruction; for the rental or lease of
23 existing buildings, or space within existing buildings,
24 originally constructed or used for purposes other than
25 education, for conversion to use as educational facilities;
26 for the opening day collection for the library media center of
27 a new school; for the purchase, lease-purchase, or lease of
28 school buses; and for servicing of payments related to
29 certificates of participation issued for any purpose prior to
30 the effective date of this act. Costs associated with the
31 lease-purchase of equipment, educational plants, and school

1 buses may include the issuance of certificates of
2 participation on or after the effective date of this act and
3 the servicing of payments related to certificates so issued.
4 For purposes of this section, "maintenance and repair" is
5 defined in s. 1013.01.

6
7 A district that violates these expenditure restrictions shall
8 have an equal dollar reduction in funds appropriated to the
9 district under s. 1011.62 in the fiscal year following the
10 audit citation. The expenditure restrictions do not apply to
11 any school district that certifies to the Commissioner of
12 Education that all of the district's instructional space needs
13 for the next 5 years can be met from capital outlay sources
14 that the district reasonably expects to receive during the
15 next 5 years or from alternative scheduling or construction,
16 leasing, rezoning, or technological methodologies that exhibit
17 sound management.

18 Section 2. Subsection (2) of section 1011.73, Florida
19 Statutes, is amended to read:

20 1011.73 District millage elections.--

21 (2) MILLAGE AUTHORIZED NOT TO EXCEED 10 ~~4~~ YEARS.--The
22 district school board, pursuant to resolution adopted at a
23 regular meeting, shall direct the county commissioners to call
24 an election at which the electors within the school district
25 may approve an ad valorem tax millage as authorized under s.
26 1011.71(6). Such election may be held at any time, except that
27 not more than one such election shall be held during any
28 12-month period. Any millage so authorized shall be levied for
29 a period not in excess of 10 ~~4~~ years or until changed by
30 another millage election, whichever is earlier. If any such
31 election is invalidated by a court of competent jurisdiction,

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

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