

HB 0371

2004

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

10

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

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

16 1011.71 District school tax.--

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

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

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

HB 0371

2004

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

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

33 4. The proposed expenditure of the funds for this purpose
 34 must have been included in the district school board's notice of
 35 proposed tax for school capital outlay as provided in s.
 36 200.065(9).

37
 38 Violations of these expenditure provisions shall result in an
 39 equal dollar reduction in the Florida Education Finance Program
 40 (FEFP) funds for the violating district in the fiscal year
 41 following the audit citation.

42 Section 2. Paragraph (a) of subsection (9) of section
 43 200.065, Florida Statutes, is amended to read:

44 200.065 Method of fixing millage.--

45 (9)(a) In addition to the notice required in subsection
 46 (3), a district school board shall publish a second notice of
 47 intent to levy additional taxes under s. 1011.71(2). Such notice
 48 shall specify the projects or number of school buses anticipated
 49 to be funded by such additional taxes and shall be published in
 50 the size, within the time periods, adjacent to, and in
 51 substantial conformity with the advertisement required under
 52 subsection (3). The projects shall be listed in priority within
 53 each category as follows: construction and remodeling;
 54 maintenance, renovation, and repair; motor vehicle purchases;
 55 new and replacement equipment; payments for educational
 56 facilities and sites due under a lease-purchase agreement;

HB 0371

2004

57 payments for renting and leasing educational facilities and
 58 sites; payments of loans approved pursuant to ss. 1011.14 and
 59 1011.15; payment of costs of compliance with environmental
 60 statutes and regulations; ~~and~~ payment of costs of leasing
 61 relocatable educational facilities; and payments to private
 62 entities to offset the cost of school buses pursuant to s.
 63 1011.71(2)(i). The additional notice shall be in the following
 64 form, except that if the district school board is proposing to
 65 levy the same millage under s. 1011.71(2) which it levied in the
 66 prior year, the words "continue to" shall be inserted before the
 67 word "impose" in the first sentence, and except that the second
 68 sentence of the second paragraph shall be deleted if the
 69 district is advertising pursuant to paragraph (3)(e):

70
 71 NOTICE OF TAX FOR SCHOOL
 72 CAPITAL OUTLAY
 73

74 The . . . (name of school district) . . . will soon
 75 consider a measure to impose a . . . (number) . . . mill
 76 property tax for the capital outlay projects listed herein.

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

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

84 . . . (list of capital outlay projects) . . .
 85

HB 0371

2004

86 All concerned citizens are invited to a public hearing to
87 be held on . . . (date and time) . . . at . . . (meeting
88 place)

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

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