



HB 0079

2004

1 A bill to be entitled

2 An act relating to school district millage; amending s.
3 1011.71, F.S.; including property insurance costs within
4 authorized purposes for school district millage levy
5 funding; amending s. 1011.73, F.S.; increasing the maximum
6 term for imposition of certain school district millage
7 levies approved by district voters for certain purposes;
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Paragraph (i) of subsection (2) and paragraph
13 (a) of subsection (5) of section 1011.71, Florida Statutes, are
14 amended to read:

15 1011.71 District school tax.--

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

19 (i) Payment of property insurance costs ~~For the 2003-2004~~
20 ~~fiscal year only, the payment of the cost of school buses when a~~
21 ~~school district contracts with a private entity to provide~~
22 ~~student transportation services if the district meets the~~
23 ~~requirements of this paragraph. This paragraph expires July 1,~~
24 ~~2004.~~

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



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

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

34 ~~4. The proposed expenditure of the funds for this purpose~~
35 ~~must have been included in the district school board's notice of~~
36 ~~proposed tax for school capital outlay as provided in s.~~
37 ~~200.065(9).~~

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

43 (5)(a) It is the intent of the Legislature that, by July
44 1, 2003, revenue generated by the millage levy authorized by
45 subsection (2) should be used only for the costs of
46 construction, renovation, remodeling, maintenance, property
47 insurance, and repair of the educational plant; for the
48 purchase, lease, or lease-purchase of equipment, educational
49 plants, and construction materials directly related to the
50 delivery of student instruction; for the rental or lease of
51 existing buildings, or space within existing buildings,
52 originally constructed or used for purposes other than
53 education, for conversion to use as educational facilities; for
54 the opening day collection for the library media center of a new
55 school; for the purchase, lease-purchase, or lease of school
56 buses; and for servicing of payments related to certificates of
57 participation issued for any purpose prior to the effective date
58 of this act. Costs associated with the lease-purchase of



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59 equipment, educational plants, and school buses may include the
60 issuance of certificates of participation on or after the
61 effective date of this act and the servicing of payments related
62 to certificates so issued. For purposes of this section,
63 "maintenance and repair" is defined in s. 1013.01.

64
65 A district that violates these expenditure restrictions shall
66 have an equal dollar reduction in funds appropriated to the
67 district under s. 1011.62 in the fiscal year following the audit
68 citation. The expenditure restrictions do not apply to any
69 school district that certifies to the Commissioner of Education
70 that all of the district's instructional space needs for the
71 next 5 years can be met from capital outlay sources that the
72 district reasonably expects to receive during the next 5 years
73 or from alternative scheduling or construction, leasing,
74 rezoning, or technological methodologies that exhibit sound
75 management.

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

78 1011.73 District millage elections.--

79 (2) MILLAGE AUTHORIZED NOT TO EXCEED 10 4 YEARS.--The
80 district school board, pursuant to resolution adopted at a
81 regular meeting, shall direct the county commissioners to call
82 an election at which the electors within the school district may
83 approve an ad valorem tax millage as authorized under s.
84 1011.71(6). Such election may be held at any time, except that
85 not more than one such election shall be held during any 12-
86 month period. Any millage so authorized shall be levied for a
87 period not in excess of 10 4 years or until changed by another
88 millage election, whichever is earlier. If any such election is



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89 invalidated by a court of competent jurisdiction, such
90 invalidated election shall be considered not to have been held.

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