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1 A bill to be entitled
 2 An act relating to use of school district millage;
 3 amending ss. 200.065 and 1011.71, F.S.; expanding
 4 authorized school board millage levy funding to include
 5 payment of premiums for property and casualty insurance
 6 necessary to insure school district educational plants;
 7 providing an effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Paragraph (a) of subsection (9) of section
 12 200.065, Florida Statutes, is amended to read:

13 200.065 Method of fixing millage.--

14 (9)(a) In addition to the notice required in subsection
 15 (3), a district school board shall publish a second notice of
 16 intent to levy additional taxes under s. 1011.71(2). Such notice
 17 shall specify the projects or number of school buses anticipated
 18 to be funded by such additional taxes and shall be published in
 19 the size, within the time periods, adjacent to, and in
 20 substantial conformity with the advertisement required under
 21 subsection (3). The projects shall be listed in priority within
 22 each category as follows: construction and remodeling;
 23 maintenance, renovation, and repair; motor vehicle purchases;
 24 new and replacement equipment; payments for educational
 25 facilities and sites due under a lease-purchase agreement;
 26 payments for renting and leasing educational facilities and
 27 sites; payments of loans approved pursuant to ss. 1011.14 and
 28 1011.15; payment of costs of compliance with environmental
 29 statutes and regulations; payment of premiums for property and

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30 casualty insurance necessary to insure the educational plants of
 31 the school district; payment of costs of leasing relocatable
 32 educational facilities; and payments to private entities to
 33 offset the cost of school buses pursuant to s. 1011.71(2)(i).
 34 The additional notice shall be in the following form, except
 35 that if the district school board is proposing to levy the same
 36 millage under s. 1011.71(2) which it levied in the prior year,
 37 the words "continue to" shall be inserted before the word
 38 "impose" in the first sentence, and except that the second
 39 sentence of the second paragraph shall be deleted if the
 40 district is advertising pursuant to paragraph (3)(e):

41
 42 NOTICE OF TAX FOR SCHOOL
 43 CAPITAL OUTLAY
 44

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

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

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

55
 56 (list of capital outlay projects)
 57

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

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

62 Section 2. Paragraph (j) is added to subsection (2) of
 63 section 1011.71, Florida Statutes, and paragraph (a) of
 64 subsection (5) of said section is amended, to read:

65 1011.71 District school tax.--

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

69 (j) Payment of premiums for property and casualty
 70 insurance necessary to insure the educational plants of the
 71 school district.

72
 73 Violations of these expenditure provisions shall result in an
 74 equal dollar reduction in the Florida Education Finance Program
 75 (FEFP) funds for the violating district in the fiscal year
 76 following the audit citation.

77 (5)(a) It is the intent of the Legislature that, by July
 78 1, 2003, revenue generated by the millage levy authorized by
 79 subsection (2) should be used only for the costs of
 80 construction, renovation, remodeling, maintenance, and repair of
 81 the educational plant; for the purchase, lease, or lease-
 82 purchase of equipment, educational plants, and construction
 83 materials directly related to the delivery of student
 84 instruction; for the rental or lease of existing buildings, or
 85 space within existing buildings, originally constructed or used
 86 for purposes other than education, for conversion to use as

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87 educational facilities; for payment of premiums for property and
 88 casualty insurance necessary to insure the educational plants of
 89 the school district; for the opening day collection for the
 90 library media center of a new school; for the purchase, lease-
 91 purchase, or lease of school buses or the payment to a private
 92 entity to offset the cost of school buses pursuant to paragraph
 93 (2)(i); and for servicing of payments related to certificates of
 94 participation issued for any purpose prior to the effective date
 95 of this act. Costs associated with the lease-purchase of
 96 equipment, educational plants, and school buses may include the
 97 issuance of certificates of participation on or after the
 98 effective date of this act and the servicing of payments related
 99 to certificates so issued. For purposes of this section,
 100 "maintenance and repair" is defined in s. 1013.01.

101
 102 A district that violates these expenditure restrictions shall
 103 have an equal dollar reduction in funds appropriated to the
 104 district under s. 1011.62 in the fiscal year following the audit
 105 citation. The expenditure restrictions do not apply to any
 106 school district that certifies to the Commissioner of Education
 107 that all of the district's instructional space needs for the
 108 next 5 years can be met from capital outlay sources that the
 109 district reasonably expects to receive during the next 5 years
 110 or from alternative scheduling or construction, leasing,
 111 rezoning, or technological methodologies that exhibit sound
 112 management.

113 Section 3. This act shall take effect July 1, 2005.