

HB57

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CHAMBER ACTION

1 The Finance & Tax Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to use of school district millage;
7 amending ss. 200.065 and 1011.71, F.S.; expanding
8 authorized school board millage levy funding to include
9 payment of premiums for property and casualty insurance
10 necessary to insure school district educational plants;
11 limiting expenditures of operating revenues; providing an
12 effective date.

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

15
16 Section 1. Paragraph (a) of subsection (9) of section
17 200.065, Florida Statutes, is amended to read:

18 200.065 Method of fixing millage.--

19 (9)(a) In addition to the notice required in subsection
20 (3), a district school board shall publish a second notice of
21 intent to levy additional taxes under s. 1011.71(2). Such notice
22 shall specify the projects or number of school buses anticipated
23 to be funded by such additional taxes and shall be published in

24 | the size, within the time periods, adjacent to, and in
 25 | substantial conformity with the advertisement required under
 26 | subsection (3). The projects shall be listed in priority within
 27 | each category as follows: construction and remodeling;
 28 | maintenance, renovation, and repair; motor vehicle purchases;
 29 | new and replacement equipment; payments for educational
 30 | facilities and sites due under a lease-purchase agreement;
 31 | payments for renting and leasing educational facilities and
 32 | sites; payments of loans approved pursuant to ss. 1011.14 and
 33 | 1011.15; payment of costs of compliance with environmental
 34 | statutes and regulations; payment of premiums for property and
 35 | casualty insurance necessary to insure the educational plants of
 36 | the school district; payment of costs of leasing relocatable
 37 | educational facilities; and payments to private entities to
 38 | offset the cost of school buses pursuant to s. 1011.71(2)(i).
 39 | The additional notice shall be in the following form, except
 40 | that if the district school board is proposing to levy the same
 41 | millage under s. 1011.71(2) which it levied in the prior year,
 42 | the words "continue to" shall be inserted before the word
 43 | "impose" in the first sentence, and except that the second
 44 | sentence of the second paragraph shall be deleted if the
 45 | district is advertising pursuant to paragraph (3)(e):

46 |
 47 | NOTICE OF TAX FOR SCHOOL
 48 | CAPITAL OUTLAY
 49 |

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

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

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

60
61 (list of capital outlay projects)

62
63 All concerned citizens are invited to a public hearing to
64 be held on (date and time) at (meeting place) .

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

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

70 1011.71 District school tax.--

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

74 (j) Payment of premiums for property and casualty
75 insurance necessary to insure the educational plants of the
76 school district.

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78 | Violations of these expenditure provisions shall result in an
 79 | equal dollar reduction in the Florida Education Finance Program
 80 | (FEFP) funds for the violating district in the fiscal year
 81 | following the audit citation.

82 | (5)(a) It is the intent of the Legislature that, by July
 83 | 1, 2003, revenue generated by the millage levy authorized by
 84 | subsection (2) should be used only for the costs of
 85 | construction, renovation, remodeling, maintenance, and repair of
 86 | the educational plant; for the purchase, lease, or lease-
 87 | purchase of equipment, educational plants, and construction
 88 | materials directly related to the delivery of student
 89 | instruction; for the rental or lease of existing buildings, or
 90 | space within existing buildings, originally constructed or used
 91 | for purposes other than education, for conversion to use as
 92 | educational facilities; for payment of premiums for property and
 93 | casualty insurance necessary to insure the educational plants of
 94 | the school district; for the opening day collection for the
 95 | library media center of a new school; for the purchase, lease-
 96 | purchase, or lease of school buses or the payment to a private
 97 | entity to offset the cost of school buses pursuant to paragraph
 98 | (2)(i); and for servicing of payments related to certificates of
 99 | participation issued for any purpose prior to the effective date
 100 | of this act. Costs associated with the lease-purchase of
 101 | equipment, educational plants, and school buses may include the
 102 | issuance of certificates of participation on or after the
 103 | effective date of this act and the servicing of payments related
 104 | to certificates so issued. For purposes of this section,
 105 | "maintenance and repair" is defined in s. 1013.01. Each year

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106 operating revenues are made available through the payment of
107 property and casualty insurance premiums from revenues generated
108 under this subsection or subsection (2), such operating revenues
109 may be expended only for nonrecurring operational expenditures
110 of the school district.

111
112 A district that violates these expenditure restrictions shall
113 have an equal dollar reduction in funds appropriated to the
114 district under s. 1011.62 in the fiscal year following the audit
115 citation. The expenditure restrictions do not apply to any
116 school district that certifies to the Commissioner of Education
117 that all of the district's instructional space needs for the
118 next 5 years can be met from capital outlay sources that the
119 district reasonably expects to receive during the next 5 years
120 or from alternative scheduling or construction, leasing,
121 rezoning, or technological methodologies that exhibit sound
122 management.

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