

By Senator Wise

5-1624-06

1                                   A bill to be entitled  
2           An act relating to local funding for schools;  
3           amending s. 1011.62, F.S.; clarifying  
4           provisions requiring that the Department of  
5           Revenue certify to the Commissioner of  
6           Education by a specified date the district and  
7           state totals of the final taxable values for  
8           school purposes for the prior year; providing  
9           for the amount of state funds allocated to a  
10          school district to be adjusted due to a change  
11          in the assessment roll required by a final  
12          court decision; providing an effective date.

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

16           Section 1. Paragraphs (a) and (b) of subsection (4)  
17   and paragraph (b) of subsection (9) of section 1011.62,  
18   Florida Statutes, are amended to read:

19           1011.62 Funds for operation of schools.--If the annual  
20   allocation from the Florida Education Finance Program to each  
21   district for operation of schools is not determined in the  
22   annual appropriations act or the substantive bill implementing  
23   the annual appropriations act, it shall be determined as  
24   follows:

25           (4) COMPUTATION OF DISTRICT REQUIRED LOCAL  
26   EFFORT.--The Legislature shall prescribe the aggregate  
27   required local effort for all school districts collectively as  
28   an item in the General Appropriations Act for each fiscal  
29   year. The amount that each district shall provide annually  
30   toward the cost of the Florida Education Finance Program for

1 kindergarten through grade 12 programs shall be calculated as  
2 follows:

3 (a) Estimated taxable value calculations.--

4 1.a. Not later than 2 working days prior to July 19,  
5 the Department of Revenue shall certify to the Commissioner of  
6 Education its most recent estimate of the taxable value for  
7 school purposes in each school district and the total for all  
8 school districts in the state for the current calendar year  
9 based on the latest available data obtained from the local  
10 property appraisers. Not later than July 19, the Commissioner  
11 of Education shall compute a millage rate, rounded to the next  
12 highest one one-thousandth of a mill, which, when applied to  
13 95 percent of the estimated state total taxable value for  
14 school purposes, would generate the prescribed aggregate  
15 required local effort for that year for all districts. The  
16 Commissioner of Education shall certify to each district  
17 school board the millage rate, computed as prescribed in this  
18 subparagraph, as the minimum millage rate necessary to provide  
19 the district required local effort for that year.

20 b. The General Appropriations Act shall direct the  
21 computation of the statewide adjusted aggregate amount for  
22 required local effort for all school districts collectively  
23 from ad valorem taxes to ensure that no school district's  
24 revenue from required local effort millage will produce more  
25 than 90 percent of the district's total Florida Education  
26 Finance Program calculation, and the adjustment of the  
27 required local effort millage rate of each district that  
28 produces more than 90 percent of its total Florida Education  
29 Finance Program entitlement to a level that will produce only  
30 90 percent of its total Florida Education Finance Program  
31 entitlement in the July calculation.

1           2. As revised data are received from property  
2 appraisers, the Department of Revenue shall amend the  
3 certification of the estimate of the taxable value for school  
4 purposes. ~~The Commissioner of Education, in administering the~~  
5 ~~provisions of subparagraph (9)(a)2., shall use the most recent~~  
6 ~~taxable value for the appropriate year.~~

7           (b) Final calculation.--

8           1. On September 1 of each year, the Department of  
9 Revenue shall, ~~upon receipt of the official final assessed~~  
10 ~~value of property from each of the property appraisers,~~  
11 certify to the Commissioner of Education the total of the  
12 prior year final taxable value ~~total~~ for school purposes in  
13 each school district and the total for all school districts in  
14 the state, ~~subject to the provisions of paragraph (d).~~ The  
15 commissioner shall use the ~~official~~ final taxable value  
16 certified on September 1 for school purposes for each school  
17 district in the final calculation of the annual Florida  
18 Education Finance Program allocations.

19           2. For ~~the~~ purposes of this paragraph, the official  
20 final taxable value for school purposes shall be the taxable  
21 value for school purposes on which the tax bills are computed  
22 and mailed to the taxpayers, adjusted to reflect final  
23 administrative actions of value adjustment boards and judicial  
24 decisions pursuant to ~~part I~~ of chapter 194. ~~By September 1 of~~  
25 ~~each year, the Department of Revenue shall certify to the~~  
26 ~~commissioner the official prior year final taxable value for~~  
27 ~~school purposes.~~ For each county that has not submitted a  
28 revised tax roll reflecting final value adjustment board  
29 actions and final judicial decisions, the Department of  
30 Revenue shall certify the most recent revision of the official  
31 taxable value for school purposes. The ~~certified~~ value

1 certified on September 1 shall be the final taxable value for  
2 school purposes for that year, and no further adjustments  
3 shall be made, except those made pursuant to subparagraph  
4 ~~(9)(b)(9)(a)2~~.

5 (9) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT  
6 FOR CURRENT OPERATION.--The total annual state allocation to  
7 each district for current operation for the FEFP shall be  
8 distributed periodically in the manner prescribed in the  
9 General Appropriations Act.

10 (b) The amount thus obtained shall be the net annual  
11 allocation to each school district. However, if it is  
12 determined that any school district received an  
13 underallocation or overallocation for any prior year because  
14 of an arithmetical error, assessment roll change required by  
15 final judicial decision, full-time equivalent student  
16 membership error, or any allocation error revealed in an audit  
17 report, the allocation to that district shall be appropriately  
18 adjusted. Beginning with audits for the 2001-2002 fiscal year,  
19 if the adjustment is the result of an audit finding in which  
20 group 2 FTE are reclassified to the basic program and the  
21 district weighted FTE are over the weighted enrollment ceiling  
22 for group 2 programs, the adjustment shall not result in a  
23 gain of state funds to the district. If the Department of  
24 Education audit adjustment recommendation is based upon  
25 controverted findings of fact, the Commissioner of Education  
26 is authorized to establish the amount of the adjustment based  
27 on the best interests of the state.

28 Section 2. This act shall take effect July 1, 2006.  
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SENATE SUMMARY

Requires the Department of Revenue to certify to the Commissioner of Education the district and state totals of the prior year's taxable values for school purposes. Provides for an adjustment in the amount of state funds allocated to a school district due to a change in the assessment roll required by a final judicial decision.