

By Senator Jones

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A bill to be entitled

An act relating to ad valorem taxation for public education; amending ss. 1011.71 and 1011.73, F.S.; providing a specified maximum time period that a school district may levy additional millage by an initial referendum; providing a specified time period for subsequent levies of additional millage by the school district; providing an effective date.

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

Section 1. Subsection (6) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.--

(6) In addition to the maximum millage levied under this section and the General Appropriations Act, a school district may levy, by local referendum or in a general election, additional millage for school operational purposes up to an amount that, when combined with nonvoted millage levied under this section, does not exceed the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Any such levy shall be for a maximum of 4 years for the initial referendum and shall be counted as part of the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Subsequent levies may be for up to 10 years. Millage elections conducted under the authority granted pursuant to this section are subject to s. 1011.73. Funds generated by such additional millage do not become a part of the calculation of the Florida Education Finance Program total potential funds in 2001-2002 or any subsequent year and must

1 not be incorporated in the calculation of any hold-harmless or
2 other component of the Florida Education Finance Program
3 formula in any year. If an increase in required local effort,
4 when added to existing millage levied under the 10-mill limit,
5 would result in a combined millage in excess of the 10-mill
6 limit, any millage levied pursuant to this subsection shall be
7 considered to be required local effort to the extent that the
8 district millage would otherwise exceed the 10-mill limit.

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

11 1011.73 District millage elections.--

12 (2) MILLAGE AUTHORIZED NOT TO EXCEED 4 YEARS FOR THE
13 INITIAL REFERENDUM.--The district school board, pursuant to
14 resolution adopted at a regular meeting, shall direct the
15 county commissioners to call an election at which the electors
16 within the school district may approve an ad valorem tax
17 millage as authorized under s. 1011.71(6). Such election may
18 be held at any time, except that not more than one such
19 election shall be held during any 12-month period. Any millage
20 so authorized shall be levied for a period not in excess of 4
21 years for the initial referendum or until changed by another
22 millage election, whichever is earlier. Subsequent levies may
23 be for up to 10 years. If any such election is invalidated by
24 a court of competent jurisdiction, such invalidated election
25 shall be considered not to have been held.

26 Section 3. This act shall take effect upon becoming a
27 law.

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SENATE SUMMARY

Provides that a school district may levy additional millage by an initial referendum for a maximum time period of 4 years. Provides that subsequent levies of additional millage may be for up to 10 years.