

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 limiting expenditures of operating revenues; providing an
 8 effective date.

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

11
 12 Section 1. Paragraph (a) of subsection (9) of section
 13 200.065, Florida Statutes, is amended to read:

14 200.065 Method of fixing millage.--

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

29 1011.15; payment of costs of compliance with environmental
 30 statutes and regulations; payment of premiums for property and
 31 casualty insurance necessary to insure the educational plants of
 32 the school district; payment of costs of leasing relocatable
 33 educational facilities; and payments to private entities to
 34 offset the cost of school buses pursuant to s. 1011.71(2)(i).
 35 The additional notice shall be in the following form, except
 36 that if the district school board is proposing to levy the same
 37 millage under s. 1011.71(2) which it levied in the prior year,
 38 the words "continue to" shall be inserted before the word
 39 "impose" in the first sentence, and except that the second
 40 sentence of the second paragraph shall be deleted if the
 41 district is advertising pursuant to paragraph (3)(e):

42
 43 NOTICE OF TAX FOR SCHOOL
 44 CAPITAL OUTLAY
 45

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

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

54 The capital outlay tax will generate approximately \$
 55 (amount) , to be used for the following projects:
 56

57 (list of capital outlay projects)

58

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

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

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

66 1011.71 District school tax.--

67 (2) In addition to the maximum millage levy as provided in
68 subsection (1), each school board may levy not more than 2 mills
69 against the taxable value for school purposes for district
70 schools, including charter schools at the discretion of the
71 school board, to fund:

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

75

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

80 (5)(a) It is the intent of the Legislature that, by July
81 1, 2003, revenue generated by the millage levy authorized by
82 subsection (2) should be used only for the costs of
83 construction, renovation, remodeling, maintenance, and repair of
84 the educational plant; for the purchase, lease, or lease-

85 purchase of equipment, educational plants, and construction
86 materials directly related to the delivery of student
87 instruction; for the rental or lease of existing buildings, or
88 space within existing buildings, originally constructed or used
89 for purposes other than education, for conversion to use as
90 educational facilities; for payment of premiums for property and
91 casualty insurance necessary to insure the educational plants of
92 the school district; for the opening day collection for the
93 library media center of a new school; for the purchase, lease-
94 purchase, or lease of school buses or the payment to a private
95 entity to offset the cost of school buses pursuant to paragraph
96 (2) (i); and for servicing of payments related to certificates of
97 participation issued for any purpose prior to the effective date
98 of this act. Costs associated with the lease-purchase of
99 equipment, educational plants, and school buses may include the
100 issuance of certificates of participation on or after the
101 effective date of this act and the servicing of payments related
102 to certificates so issued. For purposes of this section,
103 "maintenance and repair" is defined in s. 1013.01. Each year
104 operating revenues are made available through the payment of
105 property and casualty insurance premiums from revenues generated
106 under this subsection or subsection (2), such operating revenues
107 may be expended only for nonrecurring operational expenditures
108 of the school district.

109
110 A district that violates these expenditure restrictions shall
111 have an equal dollar reduction in funds appropriated to the
112 district under s. 1011.62 in the fiscal year following the audit

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113 citation. The expenditure restrictions do not apply to any
114 school district that certifies to the Commissioner of Education
115 that all of the district's instructional space needs for the
116 next 5 years can be met from capital outlay sources that the
117 district reasonably expects to receive during the next 5 years
118 or from alternative scheduling or construction, leasing,
119 rezoning, or technological methodologies that exhibit sound
120 management.

121 Section 3. This act shall take effect July 1, 2007.