

By Senator Wise

5-00589-08

2008690__

Senate Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article IX of the State Constitution, to allow the division of certain school districts.

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

That the following amendment to Section 4 of Article IX of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IX

EDUCATION

SECTION 4. School districts; school boards.--

(a) Each county shall constitute a school district; provided, two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district; and provided further that a county having 45,000 or more students in the district schools within the county may be divided into two or more school districts, each school district to have no fewer than 20,000 students, as provided by law. In order to divide a county school district under this subsection, and notwithstanding other provisions of this constitution, a commission made up of residents of the county shall be created by special law to draw school district boundary lines, allocate assets, and provide for the contractual obligations, debts, and bonded indebtedness of the school district, all of which shall be subject to review and approval by the circuit court for

5-00589-08

2008690__

30 compliance with state and federal law and subject to approval by
31 a vote of the electors of the county. Funding for operation and
32 capital outlay in school districts divided pursuant to this
33 subsection shall be determined on a countywide basis and
34 distributed to the school districts per student as provided by
35 law, except that funds raised by voted millage for bonded
36 indebtedness or local option sales taxes may be distributed per
37 interlocal agreement between the school districts. Local school
38 taxes in school districts divided pursuant to this subsection,
39 including voted millage for bonded indebtedness, shall be levied
40 on a countywide basis as provided by law.

41 (b) In each school district there shall be a school board
42 composed of five or more members chosen by vote of the electors
43 in a nonpartisan election for appropriately staggered terms of
44 four years, as provided by law.

45 ~~(b)~~ The school board shall operate, control, and supervise
46 all free public schools within the school district and determine
47 the rate of school district taxes within the limits prescribed
48 herein. Two or more school districts may operate and finance
49 joint educational programs.

50 BE IT FURTHER RESOLVED that the following statement be
51 placed on the ballot:

52 CONSTITUTIONAL AMENDMENT

53 ARTICLE IX, SECTION 4

54 AUTHORIZING THE DIVISION OF CERTAIN COUNTIES INTO TWO OR
55 MORE SCHOOL DISTRICTS.--Proposing an amendment to the State
56 Constitution to provide that counties having 45,000 or more
57 students may be divided into two or more school districts as
58 provided by law; to provide for the creation of a commission, by

5-00589-08

2008690__

59 | special law, to draw school district boundary lines, allocate
60 | assets, and provide for the contractual obligations, debts, and
61 | bonded indebtedness of the school district, all of which shall be
62 | subject to judicial review and approval and voter approval; to
63 | provide that, except for voted millage for bonded indebtedness or
64 | local option sales taxes, school district funding shall be
65 | determined on a countywide basis and distributed as provided by
66 | law; and to provide that local school taxes, including voted
67 | millage for bonded indebtedness, shall be levied on a countywide
68 | basis as provided by law.