

HB 803

2009

1 A bill to be entitled
2 An act relating to public school funding; providing for
3 school district flexibility in the 2009-2010 fiscal year
4 to expend specific funds for operating expenses; requiring
5 district school board adoption of a resolution and
6 approval of an amendment to the school district's
7 operating budget; requiring the district school board to
8 report to the Department of Education the amount of
9 transferred funds and the operating expense for which the
10 funds were expended; requiring reporting to the Governor
11 and Legislature; providing for school district flexibility
12 in the 2009-2010 fiscal year to expend a portion of
13 nonvoted capital improvement millage for operating
14 expenses; requiring transfer of proceeds by budget
15 amendment approved by the district school board; providing
16 for equalization of funds; providing for repeal; requiring
17 legislative review of the transfer of funds; providing
18 that the transfer of funds may be reauthorized by the
19 Legislature; providing an effective date.

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

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23 Section 1. School district flexibility.--

24 (1) (a) Each district school board is given flexibility to
25 expend in its operating budget as nonrecurring funds the
26 following funds allocated to the school district through
27 specific appropriations in the 2009-2010 General Appropriations
28 Act.

- 29 1. Funds for safe schools.
- 30 2. Funds for supplemental academic instruction.
- 31 3. Funds for supplemental reading instruction.
- 32 4. Department of Juvenile Justice supplemental funds.
- 33 5. Funds for student transportation.
- 34 6. Funds for instructional materials.
- 35 7. Funds for the Teachers Lead Program.
- 36 8. Funds for class size reduction.
- 37 9. Funds for the Florida School Recognition Program.
- 38 (b) To expend funds for operating expenses under this
 39 subsection, a district school board shall find and declare in a
 40 resolution adopted at a regular meeting of the school board that
 41 the funds are urgently needed to maintain school board operating
 42 expenses and shall approve an amendment to the school district's
 43 2009-2010 operating budget transferring the identified amount of
 44 funds to the appropriate account for expenditure.
- 45 (c) Each district school board shall report to the
 46 Department of Education the amount of funds it transferred under
 47 paragraph (a) and the specific operating expense for which these
 48 funds were expended. The department shall provide instructions
 49 to each district school board and specify the format to be used
 50 in submitting this required information. The department shall
 51 submit to the Governor, the President of the Senate, and the
 52 Speaker of the House of Representatives a report showing the
 53 actions taken by each school board and a statewide summary of
 54 all actions taken by school districts.
- 55 (2) (a) Each district school board is given flexibility to
 56 expend in its operating budget as nonrecurring funds up to 0.5

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57 mill of its nonvoted capital improvement millage levied pursuant
58 to s. 1011.71(2), Florida Statutes, for the 2009-2010 fiscal
59 year, which amount shall not exceed \$328 per full-time
60 equivalent student. This authorized use of proceeds from this
61 millage levy is in addition to the authorized uses set forth in
62 s. 1011.71, Florida Statutes, and is for the 2009-2010 fiscal
63 year only. Any proceeds from this millage levy used for school
64 district operating expenses shall be transferred by budget
65 amendment approved by the school board at a regular meeting of
66 the school board.

67 (b) If the proceeds from 0.5 mill produce less than \$328
68 per full-time equivalent student in any school district, the
69 additional amount required to equal \$328 per full-time
70 equivalent student shall be provided from state funds.

71 (c) If a district school board has not levied sufficient
72 millage under s. 1011.71(2), Florida Statutes, for the 2009-2010
73 fiscal year to produce \$328 per full-time equivalent student and
74 the school board has other similar funds available, the school
75 board may use such funds in lieu of proceeds from millage.

76 (3) This section is repealed June 30, 2010.

77 Section 2. The transfer of funds authorized in section 1
78 of this act shall be reviewed by the Legislature and may be
79 reauthorized for subsequent fiscal years.

80 Section 3. This act shall take effect July 1, 2009.