



769326

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/14/2012	.	
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The Committee on Education Pre-K - 12 (Bullard) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (6) of section 212.055, Florida
Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent;
authorization and use of proceeds.—It is the legislative intent
that any authorization for imposition of a discretionary sales
surtax shall be published in the Florida Statutes as a
subsection of this section, irrespective of the duration of the
levy. Each enactment shall specify the types of counties



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40 facilities and campuses which have a useful life expectancy of 5
41 or more years, and any land acquisition, land improvement,
42 design, and engineering costs related thereto. Additionally, the
43 plan shall include the costs of retrofitting and providing for
44 technology implementation, including hardware and software, for
45 the various sites within the school district. Surtax revenues
46 may be used for the purpose of servicing bond indebtedness to
47 finance projects authorized by this subsection, and any interest
48 accrued thereto may be held in trust to finance such projects.
49 Neither the proceeds of the surtax nor any interest accrued
50 thereto shall be used for operational expenses.

51 (d) The resolution may also set forth a plan for using the
52 proceeds of the surtax to fund the expenses authorized under s.
53 1011.71(2). The plan may provide that the proceeds of the
54 surtax, including interest accrued on the revenues of the
55 surtax, shall be used for the expenses of maintaining,
56 renovating, or repairing existing school facilities or for
57 maintaining, securing, or upgrading capital technology equipment
58 and infrastructure for schools. However, in order to use the
59 surtax revenues for the purposes specified in this paragraph, a
60 school board shall covenant to decrease the capital local school
61 property tax levied pursuant to s. 1011.71(2) and to maintain
62 that tax at the reduced millage for as long as the surtax is in
63 effect.

64 (e)-~~(d)~~ Surtax revenues collected by the Department of
65 Revenue pursuant to this subsection shall be distributed to the
66 school board imposing the surtax in accordance with law.

67 Section 2. A school district that levies the surtax under
68 s. 212.055(6), Florida Statutes, before July 1, 2012, may not



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69 use the surtax revenues for the additional purposes authorized
70 in this act unless the plan for such use is approved by a
71 majority vote of the electors of the county voting in a
72 referendum.

73 Section 3. This act shall take effect July 1, 2012.

74
75 ===== T I T L E A M E N D M E N T =====

76 And the title is amended as follows:

77 Delete everything before the enacting clause
78 and insert:

79 A bill to be entitled
80 An act relating to discretionary sales surtaxes;
81 amending s. 212.055, F.S.; expanding the purposes for
82 which revenues from the school capital outlay surtax
83 may be used; making the use of surtax revenues for
84 specified additional purposes contingent upon certain
85 school board actions relating to the reduction of
86 certain property taxes during the time surtax is in
87 effect; requiring approval of the electors in order to
88 use the surtax revenues for the additional purposes
89 authorized by the act; providing an effective date.