

By Senator Simmons

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A bill to be entitled
An act relating to education funding; amending s.
1011.71, F.S.; revising the amount each school board
may levy for certain purposes; revising the purposes
for which a school district may levy additional
millage by specified means to include fixed capital
outlay; providing an effective date.

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

Section 1. Subsections (2), (3), and (9) of section
1011.71, Florida Statutes, are amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in
subsection (1), each school board may levy not more than 1.7 ~~1.5~~
mills against the taxable value for school purposes for district
schools, including charter schools at the discretion of the
school board, to fund:

(a) New construction and remodeling projects, as set forth
in s. 1013.64(3)(b) and (6)(b) and included in the district's
educational plant survey pursuant to s. 1013.31, without regard
to prioritization, sites and site improvement or expansion to
new sites, existing sites, auxiliary facilities, athletic
facilities, or ancillary facilities.

(b) Maintenance, renovation, and repair of existing school
plants or of leased facilities to correct deficiencies pursuant
to s. 1013.15(2).

(c) The purchase, lease-purchase, or lease of school buses.

(d) The purchase, lease-purchase, or lease of new and
replacement equipment; computer hardware, including electronic
hardware and other hardware devices necessary for gaining access
to or enhancing the use of electronic content and resources or

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33 to facilitate the access to and the use of a school district's
34 digital classrooms plan pursuant to s. 1011.62, excluding
35 software other than the operating system necessary to operate
36 the hardware or device; and enterprise resource software
37 applications that are classified as capital assets in accordance
38 with definitions of the Governmental Accounting Standards Board,
39 have a useful life of at least 5 years, and are used to support
40 districtwide administration or state-mandated reporting
41 requirements.

42 (e) Payments for educational facilities and sites due under
43 a lease-purchase agreement entered into by a district school
44 board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
45 exceeding, in the aggregate, an amount equal to three-fourths of
46 the proceeds from the millage levied by a district school board
47 pursuant to this subsection. The three-fourths limit is waived
48 for lease-purchase agreements entered into before June 30, 2009,
49 by a district school board pursuant to this paragraph.

50 (f) Payment of loans approved pursuant to ss. 1011.14 and
51 1011.15.

52 (g) Payment of costs directly related to complying with
53 state and federal environmental statutes, rules, and regulations
54 governing school facilities.

55 (h) Payment of costs of leasing relocatable educational
56 facilities, of renting or leasing educational facilities and
57 sites pursuant to s. 1013.15(2), or of renting or leasing
58 buildings or space within existing buildings pursuant to s.
59 1013.15(4).

60 (i) Payment of the cost of school buses when a school
61 district contracts with a private entity to provide student

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62 transportation services if the district meets the requirements
63 of this paragraph.

64 1. The district's contract must require that the private
65 entity purchase, lease-purchase, or lease, and operate and
66 maintain, one or more school buses of a specific type and size
67 that meet the requirements of s. 1006.25.

68 2. Each such school bus must be used for the daily
69 transportation of public school students in the manner required
70 by the school district.

71 3. Annual payment for each such school bus may not exceed
72 10 percent of the purchase price of the state pool bid.

73 4. The proposed expenditure of the funds for this purpose
74 must have been included in the district school board's notice of
75 proposed tax for school capital outlay as provided in s.
76 200.065(10).

77 (j) Payment of the cost of the opening day collection for
78 the library media center of a new school.

79 (3) Notwithstanding subsection (2), if the revenue from 1.7
80 ~~1.5~~ mills is insufficient to meet the payments due under a
81 lease-purchase agreement entered into before June 30, 2009, by a
82 district school board pursuant to paragraph (2)(e), or to meet
83 other critical district fixed capital outlay needs, the board,
84 in addition to the 1.7 ~~1.5~~ mills, may levy up to 0.25 mills for
85 fixed capital outlay in lieu of levying an equivalent amount of
86 the discretionary mills for operations as provided in the
87 General Appropriations Act. Millage levied pursuant to this
88 subsection is subject to the provisions of s. 200.065 and,
89 combined with the 1.7 ~~1.5~~ mills authorized in subsection (2),
90 may not exceed 1.95 ~~1.75~~ mills. If the district chooses to use

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91 up to 0.25 mills for fixed capital outlay, the compression
92 adjustment pursuant to s. 1011.62(5) shall be calculated for the
93 standard discretionary millage that is not eligible for transfer
94 to capital outlay.

95 (9) In addition to the maximum millage levied under this
96 section and the General Appropriations Act, a school district
97 may levy, by local referendum or in a general election,
98 additional millage for school operational purposes or for fixed
99 capital outlay up to an amount that, when combined with nonvoted
100 millage levied under this section, does not exceed the 10-mill
101 limit established in s. 9(b), Art. VII of the State
102 Constitution. Any such levy shall be for a maximum of 4 years
103 and shall be counted as part of the 10-mill limit established in
104 s. 9(b), Art. VII of the State Constitution. Millage elections
105 conducted under the authority granted pursuant to this section
106 are subject to s. 1011.73. Funds generated by such additional
107 millage do not become a part of the calculation of the Florida
108 Education Finance Program total potential funds in 2001-2002 or
109 any subsequent year and must not be incorporated in the
110 calculation of any hold-harmless or other component of the
111 Florida Education Finance Program formula in any year. If an
112 increase in required local effort, when added to existing
113 millage levied under the 10-mill limit, would result in a
114 combined millage in excess of the 10-mill limit, any millage
115 levied for operations pursuant to this subsection shall be
116 considered to be required local effort to the extent that the
117 district millage would otherwise exceed the 10-mill limit.

118 Section 2. This act shall take effect July 1, 2017.