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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/3R

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05/03/2019 04:33 PM

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Senator Farmer moved the following:

1 **Senate Amendment to Amendment (749698) (with title**
2 **amendment)**

3
4 Between lines 611 and 612
5 insert:

6 Section 20. Paragraph (b) of subsection (17) of section
7 1002.33, Florida Statutes, is amended to read:

8 1002.33 Charter schools.—

9 (17) FUNDING.—Students enrolled in a charter school,
10 regardless of the sponsorship, shall be funded as if they are in
11 a basic program or a special program, the same as students



787510

12 enrolled in other public schools in the school district. Funding
13 for a charter lab school shall be as provided in s. 1002.32.

14 (b) The basis for the agreement for funding students
15 enrolled in a charter school shall be the sum of the school
16 district's operating funds from the Florida Education Finance
17 Program as provided in s. 1011.62 and the General Appropriations
18 Act, including gross state and local funds, discretionary
19 lottery funds, and funds from the school district's current
20 operating discretionary millage levies authorized pursuant to s.
21 1011.71 ~~levy~~; divided by total funded weighted full-time
22 equivalent students in the school district; multiplied by the
23 weighted full-time equivalent students for the charter school.
24 Charter schools whose students or programs meet the eligibility
25 criteria in law are entitled to their proportionate share of
26 categorical program funds included in the total funds available
27 in the Florida Education Finance Program by the Legislature,
28 including transportation, the research-based reading allocation,
29 and the Florida digital classrooms allocation. Total funding for
30 each charter school shall be recalculated during the year to
31 reflect the revised calculations under the Florida Education
32 Finance Program by the state and the actual weighted full-time
33 equivalent students reported by the charter school during the
34 full-time equivalent student survey periods designated by the
35 Commissioner of Education. For charter schools operated by a
36 not-for-profit or municipal entity, any unrestricted current and
37 capital assets identified in the charter school's annual
38 financial audit may be used for other charter schools operated
39 by the not-for-profit or municipal entity within the school
40 district. Unrestricted current assets shall be used in



787510

41 accordance with s. 1011.62, and any unrestricted capital assets
42 shall be used in accordance with s. 1013.62(2).

43 Section 21. Subsection (9) of section 1011.71, Florida
44 Statutes, is amended to read:

45 1011.71 District school tax.—

46 (9) In addition to the maximum millage levied under this
47 section and the General Appropriations Act, a school district
48 may levy, by local referendum or in a general election,
49 additional millage for school operational purposes up to an
50 amount that, when combined with nonvoted millage levied under
51 this section, does not exceed the 10-mill limit established in
52 s. 9(b), Art. VII of the State Constitution. Any such levy shall
53 be for a maximum of 4 years and shall be counted as part of the
54 10-mill limit established in s. 9(b), Art. VII of the State
55 Constitution. For the purpose of distributing taxes collected
56 pursuant to this subsection, the term "school operational
57 purposes" includes charter schools sponsored by a school
58 district. Millage elections conducted under the authority
59 granted pursuant to this section are subject to s. 1011.73.
60 Funds generated by such additional millage do not become a part
61 of the calculation of the Florida Education Finance Program
62 total potential funds in 2001-2002 or any subsequent year and
63 must not be incorporated in the calculation of any hold-harmless
64 or other component of the Florida Education Finance Program
65 formula in any year. If an increase in required local effort,
66 when added to existing millage levied under the 10-mill limit,
67 would result in a combined millage in excess of the 10-mill
68 limit, any millage levied pursuant to this subsection shall be
69 considered to be required local effort to the extent that the



787510

70 district millage would otherwise exceed the 10-mill limit. Funds
71 levied under this subsection shall be shared with charter
72 schools as provided in s. 1002.33(17) and used in a manner
73 consistent with the purposes of the levy; provided, however,
74 that such manner must be consistent with the plain-language
75 understanding specified in the referendum.

76 Section 22. The provisions of this act relating to ss.
77 1011.71 and 1002.33, Florida Statutes, amending the use of
78 certain voted discretionary operating millages levied by school
79 districts, apply to such levies authorized by a vote of the
80 electors on or after July 1, 2019.

81
82 ===== T I T L E A M E N D M E N T =====

83 And the title is amended as follows:

84 Between lines 720 and 721

85 insert:

86 amending s. 1002.33, F.S.; conforming a provision to
87 changes made by the act; amending s. 1011.71, F.S.;

88 defining the term "school operational purposes" to
89 include charter schools sponsored by a school
90 district; requiring that voted levies for school
91 operational purposes be shared with charter schools
92 and used in a certain manner; providing applicability;