

House Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article VII and the creation of a new section in Article XII of the State Constitution to authorize the Legislature, by general law, to provide for the use of revenue from school district levies for the educational benefit of students who are not attending full time a school or program operated by the district school board, and to provide an effective date.

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

That the following amendment to Section 1 of Article VII and the creation of a new section in Article XII of the State Constitution are 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 VII

FINANCE AND TAXATION

SECTION 1. Taxation; appropriations; state expenses; state revenue limitation.—

(a) No tax shall be levied except in pursuance of law. No state ad valorem taxes shall be levied upon real estate or tangible personal property; however, the legislature may, by

26 | general law, authorize district school board levies to be used
 27 | for the educational benefit of students who are not attending
 28 | full time a school or program operated by the district school
 29 | board. All other forms of taxation shall be preempted to the
 30 | state except as provided by general law.

31 | (b) Motor vehicles, boats, airplanes, trailers, trailer
 32 | coaches and mobile homes, as defined by law, shall be subject to
 33 | a license tax for their operation in the amounts and for the
 34 | purposes prescribed by law, but shall not be subject to ad
 35 | valorem taxes.

36 | (c) No money shall be drawn from the treasury except in
 37 | pursuance of appropriation made by law.

38 | (d) Provision shall be made by law for raising sufficient
 39 | revenue to defray the expenses of the state for each fiscal
 40 | period.

41 | (e) Except as provided herein, state revenues collected
 42 | for any fiscal year shall be limited to state revenues allowed
 43 | under this subsection for the prior fiscal year plus an
 44 | adjustment for growth. As used in this subsection, "growth"
 45 | means an amount equal to the average annual rate of growth in
 46 | Florida personal income over the most recent twenty quarters
 47 | times the state revenues allowed under this subsection for the
 48 | prior fiscal year. For the 1995-1996 fiscal year, the state
 49 | revenues allowed under this subsection for the prior fiscal year
 50 | shall equal the state revenues collected for the 1994-1995

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51 | fiscal year. Florida personal income shall be determined by the
52 | legislature, from information available from the United States
53 | Department of Commerce or its successor on the first day of
54 | February prior to the beginning of the fiscal year. State
55 | revenues collected for any fiscal year in excess of this
56 | limitation shall be transferred to the budget stabilization fund
57 | until the fund reaches the maximum balance specified in Section
58 | 19(g) of Article III, and thereafter shall be refunded to
59 | taxpayers as provided by general law. State revenues allowed
60 | under this subsection for any fiscal year may be increased by a
61 | two-thirds vote of the membership of each house of the
62 | legislature in a separate bill that contains no other subject
63 | and that sets forth the dollar amount by which the state
64 | revenues allowed will be increased. The vote may not be taken
65 | less than seventy-two hours after the third reading of the bill.
66 | For purposes of this subsection, "state revenues" means taxes,
67 | fees, licenses, and charges for services imposed by the
68 | legislature on individuals, businesses, or agencies outside
69 | state government. However, "state revenues" does not include:
70 | revenues that are necessary to meet the requirements set forth
71 | in documents authorizing the issuance of bonds by the state;
72 | revenues that are used to provide matching funds for the federal
73 | Medicaid program with the exception of the revenues used to
74 | support the Public Medical Assistance Trust Fund or its
75 | successor program and with the exception of state matching funds

76 | used to fund elective expansions made after July 1, 1994;
 77 | proceeds from the state lottery returned as prizes; receipts of
 78 | the Florida Hurricane Catastrophe Fund; balances carried forward
 79 | from prior fiscal years; taxes, licenses, fees, and charges for
 80 | services imposed by local, regional, or school district
 81 | governing bodies; or revenue from taxes, licenses, fees, and
 82 | charges for services required to be imposed by any amendment or
 83 | revision to this constitution after July 1, 1994. An adjustment
 84 | to the revenue limitation shall be made by general law to
 85 | reflect the fiscal impact of transfers of responsibility for the
 86 | funding of governmental functions between the state and other
 87 | levels of government. The legislature shall, by general law,
 88 | prescribe procedures necessary to administer this subsection.

89 | ARTICLE XII

90 | SCHEDULE

91 | Use of certain school district revenue.—This section and
 92 | the amendments to Section 1 of Article VII authorizing the
 93 | legislature to provide for the use of revenue from school
 94 | district levies for the educational benefit of students who are
 95 | not attending full time a school or program operated by the
 96 | district school board shall take effect January 1, 2023.

97 | BE IT FURTHER RESOLVED that the following statement be
 98 | placed on the ballot:

99 | CONSTITUTIONAL AMENDMENT

100 | ARTICLE VII, SECTION 1

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ARTICLE XII

101
102 USE OF REVENUE FROM SCHOOL DISTRICT LEVIES.—Proposing an
103 amendment to the State Constitution to authorize the Legislature
104 to, by general law, authorize the use of revenue from school
105 district levies for the educational benefit of students who are
106 not attending full time a school or program operated by a
107 district school board. If approved, this amendment takes effect
108 January 1, 2023.