

By Senator Diaz

36-01527-22

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Senate 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 general law, authorize district school board levies to be used for the educational benefit of students who are not attending full time a school or program operated by the district school board. All other forms of taxation shall be preempted to the

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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 for
42 any fiscal year shall be limited to state revenues allowed under
43 this subsection for the prior fiscal year plus an adjustment for
44 growth. As used in this subsection, "growth" means an amount
45 equal to the average annual rate of growth in Florida personal
46 income over the most recent twenty quarters times the state
47 revenues allowed under this subsection for the prior fiscal
48 year. For the 1995-1996 fiscal year, the state revenues allowed
49 under this subsection for the prior fiscal year shall equal the
50 state revenues collected for the 1994-1995 fiscal year. Florida
51 personal income shall be determined by the legislature, from
52 information available from the United States Department of
53 Commerce or its successor on the first day of February prior to
54 the beginning of the fiscal year. State revenues collected for
55 any fiscal year in excess of this limitation shall be
56 transferred to the budget stabilization fund until the fund
57 reaches the maximum balance specified in Section 19(g) of
58 Article III, and thereafter shall be refunded to taxpayers as

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59 provided by general law. State revenues allowed under this
60 subsection for any fiscal year may be increased by a two-thirds
61 vote of the membership of each house of the legislature in a
62 separate bill that contains no other subject and that sets forth
63 the dollar amount by which the state revenues allowed will be
64 increased. The vote may not be taken less than seventy-two hours
65 after the third reading of the bill. For purposes of this
66 subsection, "state revenues" means taxes, fees, licenses, and
67 charges for services imposed by the legislature on individuals,
68 businesses, or agencies outside state government. However,
69 "state revenues" does not include: revenues that are necessary
70 to meet the requirements set forth in documents authorizing the
71 issuance of bonds by the state; revenues that are used to
72 provide matching funds for the federal Medicaid program with the
73 exception of the revenues used to support the Public Medical
74 Assistance Trust Fund or its successor program and with the
75 exception of state matching funds used to fund elective
76 expansions made after July 1, 1994; proceeds from the state
77 lottery returned as prizes; receipts of the Florida Hurricane
78 Catastrophe Fund; balances carried forward from prior fiscal
79 years; taxes, licenses, fees, and charges for services imposed
80 by local, regional, or school district governing bodies; or
81 revenue from taxes, licenses, fees, and charges for services
82 required to be imposed by any amendment or revision to this
83 constitution after July 1, 1994. An adjustment to the revenue
84 limitation shall be made by general law to reflect the fiscal
85 impact of transfers of responsibility for the funding of
86 governmental functions between the state and other levels of
87 government. The legislature shall, by general law, prescribe

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88 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

101 ARTICLE XII

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.