Representative Avila offered the following:

Amendment to Amendment (749698) (with title amendment)

Between lines 316 and 317 of the amendment, insert:

Section 15. Paragraph (a) of subsection (6) of section 337.401, Florida Statutes, is amended to read:

337.401 Use of right-of-way for utilities subject to regulation; permit; fees.—

(6)(a) As used in this subsection, the following definitions apply:

1.a. A "pass-through provider" is any person who places or maintains a communications facility in the roads or rights-of-way of a municipality or county that levies a tax pursuant to...
chapter 202 and who does not remit taxes imposed by that
municipality or county pursuant to chapter 202.

  b. Notwithstanding sub-subparagraph a., a person who does
not remit taxes imposed by a municipality or county pursuant to
chapter 202, but pursuant to s. 202.16(2) sells communications
services for resale to a person who sells such services at
retail or who integrates such services into communications
services sold at retail in that municipality or county and who
remits taxes imposed by that municipality or county pursuant to
chapter 202, is not a pass-through provider.

  2. A "communications facility" is a facility that may be
used to provide communications services. Multiple cables,
conduits, strands, or fibers located within the same conduit
shall be considered one communications facility for purposes of
this subsection.

Section 16. Subsection (9) of section 1011.71, Florida
Statutes, is amended to read:

  1011.71 District school tax.—
  (9) In addition to the maximum millage levied under this
section and the General Appropriations Act, a school district
may levy, by local referendum or in a general election,
additional millage for school operational purposes up to an
amount that, when combined with nonvoted millage levied under
this section, does not exceed the 10-mill limit established in
s. 9(b), Art. VII of the State Constitution. Any such levy shall
be for a maximum of 4 years and shall be counted as part of the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. For the purpose of distributing taxes collected pursuant to this subsection, the term "school operational purposes" includes charter schools sponsored by a school district. Millage elections conducted under the authority granted pursuant to this section are subject to s. 1011.73. Funds generated by such additional millage do not become a part of the calculation of the Florida Education Finance Program total potential funds in 2001-2002 or any subsequent year and must not be incorporated in the calculation of any hold-harmless or other component of the Florida Education Finance Program formula in any year. If an increase in required local effort, when added to existing millage levied under the 10-mill limit, would result in a combined millage in excess of the 10-mill limit, any millage levied pursuant to this subsection shall be considered to be required local effort to the extent that the district millage would otherwise exceed the 10-mill limit. Funds levied under this subsection shall be shared with charter schools based on each charter school's proportionate share of the district's total unweighted full-time equivalent student enrollment and used in a manner consistent with the purposes of the levy.

Section 17. The provisions of this act relating to s. 1011.71, Florida Statutes, amending the use of certain voted
discretionary operating millages levied by school districts, apply to such levies authorized by a vote of the electors on or after July 1, 2019.

>Title Amendment

Remove line 676 of the amendment and insert:
providing applicability; amending s. 337.401, F.S.; specifying conditions under which certain persons who place or maintain a communications facility in the roads or rights-of-way are not considered pass-through providers; amending s. 1011.71, F.S.; defining the term "school operational purposes" to include charter schools sponsored by a school district; requiring that voted levies for school operational purposes be shared with charter schools in accordance with certain provisions; providing applicability; providing sales tax