

By Senator Diaz-Balart

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A bill to be entitled
An act relating to school funding; amending s.
236.081, F.S.; reducing the aggregate
required-local-effort millage rate; providing a
minimum base student allocation for FY
1998-1999; providing an effective date.

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

Section 1. Subsection (4) of section 236.081, Florida
Statutes, is amended to read:

236.081 Funds for operation of schools.--If the annual
allocation from the Florida Education Finance Program to each
district for operation of schools is not determined in the
annual appropriations act or the substantive bill implementing
the annual appropriations act, it shall be determined as
follows:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL
EFFORT.--The Legislature shall prescribe the aggregate
required local effort for all school districts collectively as
an item in the General Appropriations Act for each fiscal
year, but the aggregate required local effort may not exceed
an amount that, based on the most current information
available, would result in an aggregate required-local-effort
millage in excess of 6.029 mills. The amount that each
district shall provide annually toward the cost of the Florida
Education Finance Program for kindergarten through grade 12
programs shall be calculated as follows:

(a) Estimated taxable value calculations.--
1.a. Not later than 2 working days prior to July 19,
the Department of Revenue shall certify to the Commissioner of

1 Education its most recent estimate of the taxable value for
2 school purposes in each school district and the total for all
3 school districts in the state for the current calendar year
4 based on the latest available data obtained from the local
5 property appraisers. Not later than July 19, the commissioner
6 shall compute a millage rate, rounded to the next highest one
7 one-thousandth of a mill, which, when applied to 95 percent of
8 the estimated state total taxable value for school purposes,
9 would generate the prescribed aggregate required local effort
10 for that year for all districts. The commissioner shall
11 certify to each district school board the millage rate,
12 computed as prescribed in this subparagraph, as the minimum
13 millage rate necessary to provide the district required local
14 effort for that year.

15 b. For the 1997-1998 fiscal year only, the General
16 Appropriations Act may direct the computation of the statewide
17 adjusted aggregate amount for required local effort for all
18 school districts collectively from ad valorem taxes to ensure
19 that no school district's revenue from required local effort
20 millage will produce more than 90 percent of the district's
21 total Florida Education Finance Program calculation, and the
22 adjustment of the required local effort millage rate of each
23 district that produces more than 90 percent of its total
24 Florida Education Finance Program entitlement to a level that
25 will produce only 90 percent of its total Florida Education
26 Finance Program entitlement. This sub-subparagraph is
27 repealed on July 1, 1998, unless enacted in other legislation.

28 2. As revised data are received from property
29 appraisers, the Department of Revenue shall amend the
30 certification of the estimate of the taxable value for school
31 purposes. The Commissioner of Education, in administering the

1 provisions of subparagraph (10)(a)2., shall use the most
2 recent taxable value for the appropriate year.

3 (b) Final calculation.--

4 1. The Department of Revenue shall, upon receipt of
5 the official final assessed value of property from each of the
6 property appraisers, certify to the commissioner the taxable
7 value total for school purposes in each school district,
8 subject to the provisions of paragraph (d). The commissioner
9 shall use the official final taxable value for school purposes
10 for each school district in the final calculation of the
11 annual K-12 Florida Education Finance Program allocations.

12 2. For the purposes of this paragraph, the official
13 final taxable value for school purposes shall be the taxable
14 value for school purposes on which the tax bills are computed
15 and mailed to the taxpayers, adjusted to reflect final
16 administrative actions of value adjustment boards and judicial
17 decisions pursuant to part I of chapter 194. By September 1 of
18 each year, the Department of Revenue shall certify to the
19 commissioner the official prior year final taxable value for
20 school purposes. For each county that has not submitted a
21 revised tax roll reflecting final value adjustment board
22 actions and final judicial decisions, the Department of
23 Revenue shall certify the most recent revision of the official
24 taxable value for school purposes. The certified value shall
25 be the final taxable value for school purposes and no further
26 adjustments shall be made, except those made pursuant to
27 subparagraph (10)(a)2.

28 (c) Equalization of required local effort.--

29 1. The Department of Revenue shall include with its
30 certifications provided pursuant to paragraph (a) its most
31 recent determination of the assessment level of the prior

1 year's assessment roll for each county and for the state as a
2 whole.

3 2. The commissioner shall adjust the required local
4 effort millage of each district for the current year, computed
5 pursuant to paragraph (a), as follows:

6 a. The equalization factor for the prior year's
7 assessment roll of each district shall be multiplied by 95
8 percent of the taxable value for school purposes shown on that
9 roll and by the prior year's required local-effort millage,
10 exclusive of any equalization adjustment made pursuant to this
11 paragraph. The dollar amount so computed shall be the
12 additional required local effort for equalization for the
13 current year.

14 b. Such equalization factor shall be computed as the
15 quotient of the prior year's assessment level of the state as
16 a whole divided by the prior year's assessment level of the
17 county, from which quotient shall be subtracted 1.

18 c. The dollar amount of additional required local
19 effort for equalization for each district shall be converted
20 to a millage rate, based on 95 percent of the current year's
21 taxable value for that district, and added to the required
22 local effort millage determined pursuant to paragraph (a).

23 3. Notwithstanding the limitations imposed pursuant to
24 s. 236.25(1), the total required local-effort millage,
25 including additional required local effort for equalization,
26 shall be an amount not to exceed 10 minus the maximum millage
27 allowed as nonvoted discretionary millage, exclusive of
28 millage authorized pursuant to s. 236.25(2). Nothing herein
29 shall be construed to allow a millage in excess of that
30 authorized in s. 9, Art. VII of the State Constitution.

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1 4. For the purposes of this chapter, the term
2 "assessment level" means the value-weighted mean assessment
3 ratio for the county or state as a whole, as determined
4 pursuant to s. 195.096, or as subsequently adjusted. In the
5 event a court has adjudicated that the department failed to
6 establish an accurate estimate of an assessment level of a
7 county and recomputation resulting in an accurate estimate
8 based upon the evidence before the court was not possible,
9 that county shall be presumed to have an assessment level
10 equal to that of the state as a whole.

11 5. If, in the prior year, taxes were levied against an
12 interim assessment roll pursuant to s. 193.1145, the
13 assessment level and prior year's nonexempt assessed valuation
14 used for the purposes of this paragraph shall be those of the
15 interim assessment roll.

16 (d) Exclusion.--In those instances in which:

17 1. There is litigation either attacking the authority
18 of the property appraiser to include certain property on the
19 tax assessment roll as taxable property or contesting the
20 assessed value of certain property on the tax assessment roll;
21 and

22 2. The assessed value of the property in contest
23 involves more than 10 percent of the total nonexempt
24 assessment roll;

25
26 the assessed value of the property in contest shall be
27 excluded from the taxable value for school purposes for
28 purposes of computing the district required local effort.

29 (e) Recomputation.--Following final adjudication of
30 any litigation on the basis of which an adjustment in taxable
31 value was made pursuant to paragraph (d), the department shall

1 recompute the required local effort for each district for each
2 year affected by such adjustments, utilizing taxable values
3 approved by the court, and shall adjust subsequent allocations
4 to such districts accordingly.

5 Section 2. For the 1998-1999 fiscal year only, the
6 base student allocation determined under section 236.081(1),
7 Florida Statutes, may not be less than the base student
8 allocation in the 1997-1998 fiscal year adjusted for
9 inflation.

10 Section 3. This act shall take effect upon becoming a
11 law.

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14 SENATE SUMMARY

15 Reduces the aggregate required-local-effort millage rate
16 for school funding. Provides a minimum base student
17 allocation for fiscal year 1998-1999.
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