Florida Senate - 2005

By Senator Bennett

21-1308-05 See HB 57 1 A bill to be entitled 2 An act relating to use of school district millage; amending ss. 200.065 and 1011.71, 3 F.S.; expanding authorized school board millage 4 5 levy funding to include payment of premiums for б property and casualty insurance necessary to 7 insure school district educational plants; 8 providing an effective date. 9 Be It Enacted by the Legislature of the State of Florida: 10 11 12 Section 1. Paragraph (a) of subsection (9) of section 13 200.065, Florida Statutes, is amended to read: 200.065 Method of fixing millage.--14 (9)(a) In addition to the notice required in 15 subsection (3), a district school board shall publish a second 16 17 notice of intent to levy additional taxes under s. 1011.71(2). Such notice shall specify the projects or number of school 18 buses anticipated to be funded by such additional taxes and 19 shall be published in the size, within the time periods, 20 21 adjacent to, and in substantial conformity with the 22 advertisement required under subsection (3). The projects 23 shall be listed in priority within each category as follows: construction and remodeling; maintenance, renovation, and 2.4 repair; motor vehicle purchases; new and replacement 25 equipment; payments for educational facilities and sites due 26 27 under a lease-purchase agreement; payments for renting and 2.8 leasing educational facilities and sites; payments of loans approved pursuant to ss. 1011.14 and 1011.15; payment of costs 29 of compliance with environmental statutes and regulations; 30 payment of premiums for property and casualty insurance 31

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1 necessary to insure the educational plants of the school 2 district; payment of costs of leasing relocatable educational facilities; and payments to private entities to offset the 3 cost of school buses pursuant to s. 1011.71(2)(i). The 4 additional notice shall be in the following form, except that 5 6 if the district school board is proposing to levy the same 7 millage under s. 1011.71(2) which it levied in the prior year, the words "continue to" shall be inserted before the word 8 "impose" in the first sentence, and except that the second 9 sentence of the second paragraph shall be deleted if the 10 district is advertising pursuant to paragraph (3)(e): 11 12 13 NOTICE OF TAX FOR SCHOOL CAPITAL OUTLAY 14 15 The (name of school district) will soon consider a 16 17 measure to impose a (number) mill property tax for the 18 capital outlay projects listed herein. This tax is in addition to the school board's proposed 19 tax of (number) mills for operating expenses and is proposed 20 21 solely at the discretion of the school board. THE PROPOSED 2.2 COMBINED SCHOOL BOARD TAX INCREASE FOR BOTH OPERATING EXPENSES 23 AND CAPITAL OUTLAY IS SHOWN IN THE ADJACENT NOTICE. The capital outlay tax will generate approximately 24 \$ (amount) , to be used for the following projects: 25 26 27 (list of capital outlay projects) 2.8 29 All concerned citizens are invited to a public hearing 30 to be held on (date and time) at (meeting place). 31

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1 A DECISION on the proposed CAPITAL OUTLAY TAXES will be 2 made at this hearing. 3 Section 2. Paragraph (j) is added to subsection (2) of 4 section 1011.71, Florida Statutes, and paragraph (a) of subsection (5) of that section is amended, to read: 5 б 1011.71 District school tax.--7 (2) In addition to the maximum millage levy as 8 provided in subsection (1), each school board may levy not more than 2 mills against the taxable value for school 9 purposes to fund: 10 (j) Payment of premiums for property and casualty 11 12 insurance necessary to insure the educational plants of the 13 school district. 14 Violations of these expenditure provisions shall result in an 15 equal dollar reduction in the Florida Education Finance 16 17 Program (FEFP) funds for the violating district in the fiscal 18 year following the audit citation. (5)(a) It is the intent of the Legislature that, by 19 July 1, 2003, revenue generated by the millage levy authorized 20 21 by subsection (2) should be used only for the costs of 22 construction, renovation, remodeling, maintenance, and repair 23 of the educational plant; for the purchase, lease, or lease-purchase of equipment, educational plants, and 2.4 construction materials directly related to the delivery of 25 student instruction; for the rental or lease of existing 26 27 buildings, or space within existing buildings, originally 2.8 constructed or used for purposes other than education, for 29 conversion to use as educational facilities; for payment of premiums for property and casualty insurance necessary to 30 insure the educational plants of the school district; for the 31

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1 opening day collection for the library media center of a new 2 school; for the purchase, lease-purchase, or lease of school buses or the payment to a private entity to offset the cost of 3 school buses pursuant to paragraph (2)(i); and for servicing 4 of payments related to certificates of participation issued 5 б for any purpose prior to the effective date of this act. Costs 7 associated with the lease-purchase of equipment, educational 8 plants, and school buses may include the issuance of certificates of participation on or after the effective date 9 of this act and the servicing of payments related to 10 certificates so issued. For purposes of this section, 11 12 "maintenance and repair" is defined in s. 1013.01. 13 A district that violates these expenditure restrictions shall 14 have an equal dollar reduction in funds appropriated to the 15 district under s. 1011.62 in the fiscal year following the 16 17 audit citation. The expenditure restrictions do not apply to any school district that certifies to the Commissioner of 18 Education that all of the district's instructional space needs 19 for the next 5 years can be met from capital outlay sources 20 21 that the district reasonably expects to receive during the 22 next 5 years or from alternative scheduling or construction, 23 leasing, rezoning, or technological methodologies that exhibit 2.4 sound management. Section 3. This act shall take effect July 1, 2005. 25 26 27 2.8 29 30 31

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