

A bill to be entitled

An act relating to The School District of Broward County, Florida; requiring the distribution of revenue derived from levy of tax millage levied pursuant to s. 1011.71(2) and (9), Florida Statutes, to include charter schools on a per-student basis allocation; providing an effective date.

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

Section 1. Legislative Findings. Section 1011.71, Florida Statutes, authorizes a school district to levy taxes to fund certain expenses of the school district expressly provided for therein. The School District of Broward County, Florida, levies taxes in accordance with this statute on all taxable property within Broward County, Florida, but such funds are not distributed to provide funding for those taxpayers who choose to send their students to charter schools. Although such funds are distributed within the district, and may be distributed to charter schools created in accordance with section 1002.33, Florida Statutes, the School District of Broward County, Florida elects not to distribute such funds to charter schools. Charter schools are precluded from levying taxes to facilitate the funding of the charter school, even when the charter school is owned and operated by a government entity such as a municipality.

Section 2. Section 1011.71(2), Florida Statutes, authorizes a school board to levy not more than 1.5 mills against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board, to fund certain expenditures as set forth in the statute. Each year, The School Board of Broward County, Florida shall proportionately distribute the revenue generated by the millage levy on the following per-student basis allocation basis:

- a. With charter-schools-in-a-municipality as defined in Section 1002.33(15)(c), Florida Statutes, which are (i) owned, and (ii) directly operated, without the use of a management agreement, by the municipality, a 100% per-student basis allocation, reduced by the amount of Public Education Capital Outlay (PECO) funds received by the charter-school-in-a-municipality.
- b. The school board retains the discretion to share the revenue generated by the millage levy pursuant to Section 1011.71(2), Florida Statutes, with charter schools not eligible for mandatory sharing pursuant to Section 1011.71(3), Florida Statutes.
- c. If the district school board does not proportionately share on a per-student basis the revenue generated by the millage levy as set forth herein above with charter-schools-in-a-municipality as defined in Section 1002.33(15)(c), Florida Statutes, which are (i) owned, and (ii) directly operated, without the use of a management agreement, by the municipality as required by this subsection, the Florida Education Finance Program allocation for the school district shall be recalculated so that each such eligible charter school in the school district receives, on a per-student basis,

the same amount of funds that it would have received if the school district board shared the millage levy revenue as required by this subsection. The school district shall, within 30 days after receipt, distribute the recalculated Florida Education Finance Program funds to such each eligible charter school in the district. Eligible charter schools may only use these recalculated funds for the same purposes as set forth in s. 1011.71(2).

Section 3. Section 1011.72(9), Florida Statutes, authorizes a school district to have voting operating millage levies by local referendum. Notwithstanding Section 17 of Ch. 2019-42, Laws of Florida (2019), applying to such levies authorized by a vote of the electors on or after July 1, 2019, The School Board of Broward County, Florida shall proportionately distribute the revenue generated by the voted operating millage levy approved by referendum in 2018 following the adoption hereof on the following per-student basis allocation:

- a. With charter-schools-in-a-municipality as defined in Section 1002.33(15)(c), Florida Statutes, which are (i) owned, and (ii) directly operated, without the use of a management agreement, by the municipality, a 100% per-student basis allocation, reduced by the amount of Public Education Capital Outlay (PECO) funds received by the charter-school-in-a-municipality.
- b. The school board retains the discretion to share the revenue generated by the millage levy pursuant to Section 1011.71(2), Florida Statutes, with charter schools not eligible for mandatory sharing pursuant to Section 1011.71(3), Florida Statutes.
- c. If the district school board does not proportionately share on a per-student basis the revenue generated by the millage levy as set forth herein above with charter-schools-in-a-municipality as defined in Section 1002.33(15)(c), Florida Statutes, which are (i) owned, and (ii) directly operated, without the use of a management agreement, by the municipality as required by this subsection, the Florida Education Finance Program allocation for the school district shall be recalculated so that each such eligible charter school in the school district receives, on a per-student basis, the same amount of funds that it would have received if the school district board shared the millage levy revenue as required by this subsection. The school district shall, within 30 days after receipt, distribute the recalculated Florida Education Finance Program funds to such each eligible charter school in the district. Eligible charter schools may only use these recalculated funds for the same purposes as set forth in s. 1011.71(2).
- d. Upon receiving revenue generated by the millage levy, the charter school shall adjust its minimum and maximum salary range for teachers to be the same as The School Board of Broward County, Florida, subject to collective bargaining or waiver thereof by any bargaining unit representing the rights of teachers.

Section 4. This act shall take effect upon becoming a law.