

1 Resolution of the Taxation and Budget Reform Commission
 2 A resolution proposing an amendment to Section 9 and the
 3 creation of Section 19 of Article VII of the State
 4 Constitution to limit the ability of the Legislature to
 5 require school districts to levy an ad valorem tax as a
 6 condition for eligibility for state revenues, to require
 7 the replacement of required local effort, and to reduce
 8 the maximum millage rate for ad valorem taxation for
 9 school purposes.

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 11 Be It Resolved by the Taxation and Budget Reform Commission:

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 13 That the following amendment to Section 9 and the creation
 14 of Section 19 of Article VII of the State Constitution is agreed
 15 to and shall be submitted to the electors of this state for
 16 approval or rejection at the next general election or at an
 17 earlier special election specifically authorized by law for that
 18 purpose:

19 ARTICLE VII

20 FINANCE AND TAXATION

21 SECTION 9. Local taxes.--

22 (a) Counties, school districts, and municipalities shall,
 23 and special districts may, be authorized by law to levy ad
 24 valorem taxes and may be authorized by general law to levy other
 25 taxes, for their respective purposes, except ad valorem taxes on
 26 intangible personal property and taxes prohibited by this
 27 constitution.

28 (b) Ad valorem taxes, exclusive of taxes levied for the
 29 payment of bonds and taxes levied for periods not longer than

30 two years when authorized by vote of the electors who are the
31 owners of freeholds therein not wholly exempt from taxation,
32 shall not be levied in excess of the following millages upon the
33 assessed value of real estate and tangible personal property:
34 for all county purposes, ten mills; for all municipal purposes,
35 ten mills; for all school purposes, five ~~ten~~ mills; for water
36 management purposes for the northwest portion of the state lying
37 west of the line between ranges two and three east, 0.05 mill;
38 for water management purposes for the remaining portions of the
39 state, 1.0 mill; and for all other special districts a millage
40 authorized by law approved by vote of the electors who are
41 owners of freeholds therein not wholly exempt from taxation. A
42 county furnishing municipal services may, to the extent
43 authorized by law, levy additional taxes within the limits fixed
44 for municipal purposes.

45 SECTION 19. Replacement of ad valorem taxes set by the
46 legislature with other funds for education.--

47 (a) Commencing in the 2010-2011 fiscal year, the
48 legislature may not require school districts to levy an ad
49 valorem tax as a required local effort for participation in the
50 Florida Education Finance Program or a successor program.

51 (b) The legislature shall replace the revenue impact of
52 the elimination of required local effort as provided in
53 subsection (a) in an amount not less than the amount
54 appropriated in the General Appropriations Act in the 2008-2009
55 fiscal year through a combination of the following actions:

56 (1) the repeal of sales tax exemptions, except for the
57 current exemptions for: food; prescription drugs; health
58 services; residential rent, electricity and heating fuel, which

59 exemptions advance tax fairness; sales of tangible personal
60 property purchased for resale or imported, produced, or
61 manufactured in this state for export; sales of real property;
62 or sales of intangible personal property;
63 (2) an increase of up to one percentage point to the sales
64 and use tax rate imposed by chapter 212, Florida Statutes;
65 (3) spending reductions within the state budget;
66 (4) revenue increases resulting from economic growth
67 attributable to lower property taxes; and
68 (5) other revenues identified or created by the
69 legislature.

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71 Nothing contained herein shall be construed to replace or
72 eliminate: the ad valorem tax millage dedicated to capital
73 outlay, school renovation and repair, or for the payment of
74 lease purchase obligations authorized by general law; voter-
75 approved millage authorized in the constitution; or
76 discretionary ad valorem millage for school districts authorized
77 by law.

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79 BE IT FURTHER RESOLVED that the following statement be
80 placed on the ballot:

81 CONSTITUTIONAL AMENDMENT

82 ARTICLE VII, SECTIONS 9 AND 19

83 STATE EDUCATION FUNDING.--Directing the Legislature to
84 eliminate property taxes required for education and replace said
85 funds with a combination of revenues generated from the repeal
86 of sales tax exemptions, up to a one cent increase in the sales
87 tax, spending reductions, revenues resulting from the economic

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88 | growth created by lower property taxes, and other revenues
89 | identified or created by the legislature. Lowering the millage
90 | rate on property taxes levied for school purposes from 10 to 5
91 | mills.