

1                   A bill to be entitled  
2           An act relating to investments in education;  
3           creating the Florida Education Technology  
4           Foundation for certain purposes; providing for  
5           a board of directors; providing for membership;  
6           providing for appointing members; providing for  
7           electing members; providing duties of the  
8           board; providing for creation of Florida's  
9           Future Investment Funds for certain purposes;  
10          providing for investment of moneys in such  
11          funds; providing for donating certain revenues  
12          to the foundation; providing for contributing a  
13          portion of investment interest to the  
14          foundation for certain purposes; providing for  
15          a reduced intangibles tax rate on securities in  
16          Florida's Future Investment Funds under certain  
17          circumstances; creating s. 212.0602, F.S.;  
18          exempting certain educational entities,  
19          institutions, or organizations from the sales  
20          and use tax under certain limited  
21          circumstances; providing an effective date.

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

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25           Section 1. (1) The purpose of this section is to  
26 provide a mechanism by which the business community in this  
27 state can directly participate in providing assistance to the  
28 growth and development of education enhancement in this state  
29 through contributions to special state-sponsored investment  
30 funds. The purpose of such funds is to provide funding for  
31 computers, computer technology, training in computer

1 education, and scholarships for business-related careers for  
2 the education system, including kindergarten through twelfth  
3 grade, community colleges, and universities.

4 (2) The Florida Education Technology Foundation is  
5 hereby created as a nonprofit corporation for the purpose of  
6 establishing a series of state-sponsored investment funds to  
7 be known as Florida's Future Investment Funds. The purpose of  
8 such funds is to provide a source of revenue which shall be  
9 used by the foundation to provide funding for:

10 (a) Buying and maintaining computers and  
11 computer-related technology for all levels of the education  
12 system in this state.

13 (b) Training teachers and faculty to use computer  
14 equipment and technology and to teach the effective use of  
15 computer equipment and technology.

16 (c) Scholarships for business-related fields.

17 (3) The foundation shall be governed by a board of  
18 directors consisting of 11 members, one of whom shall be the  
19 Commissioner of Education or his or her designee, one of whom  
20 shall be the Treasurer or his or her designee, one of whom  
21 shall be appointed by the President of the Senate, one of whom  
22 shall be appointed by the Speaker of the House of  
23 Representatives, and 3 of whom shall initially be appointed by  
24 the Florida Council of 100 from membership of the council and  
25 thereafter shall be elected by the corporations and businesses  
26 which contribute moneys to a Florida's Future Investment Fund.  
27 The remaining 4 members shall be appointed by the board of  
28 directors of Enterprise Florida, Inc., from the membership of  
29 the board of directors of Enterprise Florida, Inc., and shall  
30 serve for terms of 2 years. Of the first members appointed by  
31 the Florida Council of 100, two shall be appointed for a term

1 of 1 year and one shall be appointed for a term of 2 years.  
2 Thereafter, those members shall be elected and shall serve for  
3 terms of 4 years. Each corporation shall receive one vote for  
4 investing up to \$25 million in a Florida's Future Investment  
5 Fund and shall receive an additional vote for each additional  
6 investment of \$25 million. A chair shall be elected by the  
7 members of the board and the board shall meet at the call of  
8 the chair. In no event shall the state be liable for the  
9 actions of the foundation or the fund managers.

10 (4) The foundation shall establish Florida's Future  
11 Investment Funds for the purpose of investing moneys placed in  
12 such funds by corporations and businesses in this state and  
13 receiving a portion of such interest to be used as provided in  
14 subsection (2). The board of directors shall provide for the  
15 administration and management of such funds to maximize the  
16 return on investment of moneys in such funds. The board of  
17 directors may hire outside managers to administer and invest  
18 the moneys in the Florida's Future Investment Funds. The  
19 board shall prescribe the level of prudence and ethical  
20 standards to be followed by the fund managers. It is the  
21 intent of the Legislature that administrative fees be as low  
22 as possible. The staff of the Commissioner of Education shall  
23 serve as support staff for the board of directors.

24 (5) It is the intent of the Legislature that any  
25 corporation or business participating in a Florida's Future  
26 Investment Fund contribute a portion of the interest earned on  
27 investments of moneys in the fund to the Florida Education  
28 Technology Foundation to be used as provided in subsection  
29 (2). The portion of interest earned and donated may be  
30 determined by action of the board of directors of the  
31 foundation.

1           Section 2. (1) Notwithstanding the provisions of  
2 chapter 199, Florida Statutes, the tax imposed under s.  
3 199.032, Florida Statutes, on securities in a Florida's Future  
4 Investment Fund shall apply at the rate of 1.85 mills when the  
5 average daily balance in such funds exceeds \$2 billion and at  
6 the rate of 1.70 mills when the average daily balance in such  
7 funds exceeds \$5 billion.

8           (2) This section shall not apply in any year in which  
9 the revenues of the foundation in the previous calendar year  
10 are less than the tax savings allowed by this section. "Tax  
11 savings" means the difference between the tax that would be  
12 imposed pursuant to s. 199.032, Florida Statutes, and the tax  
13 rate specified in subsection (1).

14           Section 3. Section 212.0602, Florida Statutes, is  
15 created to read:

16           212.0602 Education; limited exemption.--To facilitate  
17 investment in education and job training, there is also  
18 exempt, subject to the provisions of this section, from the  
19 taxes levied under this chapter any entity, institution, or  
20 organization which is primarily engaged in teaching students  
21 to perform any of the activities or services described in s.  
22 212.031(1)(a)9., which conducts classes at a fixed location  
23 located in this state, is licensed under chapter 246, and has  
24 at least 500 enrolled students. Any entity, institution or  
25 organization meeting the requirements of this section shall be  
26 deemed to qualify for the exemptions in sections 212.08(5)(f),  
27 212.08(12), and to qualify for an exemption for its purchase  
28 or lease of materials, equipment, and other items used for  
29 education or demonstration of the school's curriculum.  
30 Nothing herein shall preclude an entity described in this  
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1 section from qualifying for any other exemption provided for  
2 in this chapter.

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

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