

By the Committee on Education Innovation and  
Representative Wise

1                                   A bill to be entitled  
2           An act relating to nonprofit private schools;  
3           amending s. 159.27, F.S.; redefining the term  
4           "educational facility" to include property used  
5           for the operation of certain nonprofit private  
6           schools; providing requirements relating to  
7           financing; amending s. 623.13, F.S.;  
8           authorizing financing under the Florida  
9           Industrial Development Financing Act or by  
10          industrial development authorities; providing  
11          an effective date.

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

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15           Section 1. Subsection (22) of section 159.27, Florida  
16 Statutes, is amended to read:

17           159.27 Definitions.--The following words and terms,  
18 unless the context clearly indicates a different meaning,  
19 shall have the following meanings:

20           (22) "Educational facility" means property, limited to  
21 a structure suitable for use as a dormitory or other housing  
22 facility or a dining facility, that is operated in the public  
23 sector and used for or useful in connection with the operation  
24 of an institution for higher education, as defined in s.  
25 243.20(8), which offers the baccalaureate or a higher degree  
26 and that is constructed in compliance with applicable codes as  
27 determined by appropriate state agencies. In addition,  
28 "educational facility" means any property, without limitation,  
29 used for or useful in the operation of any nonprofit private  
30 preschool, kindergarten, or primary or secondary school that  
31 is established under chapter 617 or chapter 623, or that is

1 owned or operated by an organization described in section  
2 501(c)(3) of the U.S. Internal Revenue Code; provided,  
3 however, that the requirements of this part for the financing  
4 of projects through local agencies shall also apply to such  
5 schools and that bonds issued under the provisions of this  
6 part for such schools shall not be deemed to constitute a  
7 debt, liability, or obligation of the state or any political  
8 subdivision thereof, or a pledge of the faith and credit of  
9 the state or of any such political subdivision, but shall be  
10 payable solely from the revenues provided therefor.

11 Section 2. Section 623.13, Florida Statutes, is  
12 amended to read:

13 623.13 Administration, supervision, and operation by  
14 private persons or entities.--Any corporation organized and  
15 existing under this act shall be administered, supervised,  
16 operated, financed, and controlled exclusively by private  
17 persons and private entities and their funds. All persons  
18 while acting in any public official capacity are hereby  
19 specifically prohibited from engaging in any manner in such  
20 administration, supervision, operation, financing, and control  
21 of the affairs of such corporation. This section does not  
22 prohibit the financing of educational facilities as provided  
23 in part II or part III of chapter 159.

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

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