

By the Committees on General Government Appropriations,
Education Innovation and Representatives Wise and Feeney

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; providing
10 an effective date.

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

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

16 159.27 Definitions.--The following words and terms,
17 unless the context clearly indicates a different meaning,
18 shall have the following meanings:

19 (5) "Project" means any capital project comprising an
20 industrial or manufacturing plant, a research and development
21 park, an agricultural processing or storage facility, a
22 warehousing or distribution facility, a headquarters facility,
23 a tourism facility, a convention or trade show facility, an
24 urban parking facility, a trade center, a health care
25 facility, an educational facility, a correctional or detention
26 facility, a motion picture production facility, a preservation
27 or rehabilitation of a certified historic structure, an
28 airport or port facility, a commercial project in an
29 enterprise zone, a pollution-control facility, a hazardous or
30 solid waste facility, a social service center, or a mass
31 commuting facility, including one or more buildings and other

1 structures, whether or not on the same site or sites; any
2 rehabilitation, improvement, renovation, or enlargement of, or
3 any addition to, any buildings or structures for use as a
4 factory, a mill, a processing plant, an assembly plant, a
5 fabricating plant, an industrial distribution center, a
6 repair, overhaul, or service facility, a test facility, an
7 agricultural processing or storage facility, a warehousing or
8 distribution facility, a headquarters facility, a tourism
9 facility, a convention or trade show facility, an urban
10 parking facility, a trade center, a health care facility, an
11 educational facility, a correctional or detention facility, a
12 motion picture production facility, a preservation or
13 rehabilitation of a certified historic structure, an airport
14 or port facility, a commercial project in an enterprise zone,
15 a pollution-control facility, a hazardous or solid waste
16 facility, a social service center, or a mass commuting
17 facility, and other facilities, including research and
18 development facilities, for manufacturing, processing,
19 assembling, repairing, overhauling, servicing, testing, or
20 handling of any products or commodities embraced in any
21 industrial or manufacturing plant, in connection with the
22 purposes of a research and development park, or other
23 facilities for or used in connection with an agricultural
24 processing or storage facility, a warehousing or distribution
25 facility, a headquarters facility, a tourism facility, a
26 convention or trade show facility, an urban parking facility,
27 a trade center, a health care facility, an educational
28 facility, a correctional or detention facility, a motion
29 picture production facility, a preservation or rehabilitation
30 of a certified historic structure, an airport or port
31 facility, or a commercial project in an enterprise zone or for

1 controlling air or water pollution or for the disposal,
2 processing, conversion, or reclamation of hazardous or solid
3 waste, a social service center, or a mass commuting facility;
4 and including also the sites thereof and other rights in land
5 therefor whether improved or unimproved, machinery, equipment,
6 site preparation and landscaping, and all appurtenances and
7 facilities incidental thereto, such as warehouses, utilities,
8 access roads, railroad sidings, truck docking and similar
9 facilities, parking facilities, office or storage or training
10 facilities, public lodging and restaurant facilities, dockage,
11 wharfage, solar energy facilities, and other improvements
12 necessary or convenient for any manufacturing or industrial
13 plant, research and development park, agricultural processing
14 or storage facility, warehousing or distribution facility,
15 tourism facility, convention or trade show facility, urban
16 parking facility, trade center, health care facility,
17 educational facility, a correctional or detention facility,
18 motion picture production facility, preservation or
19 rehabilitation of a certified historic structure, airport or
20 port facility, commercial project in an enterprise zone,
21 pollution-control facility, hazardous or solid waste facility,
22 social service center, or a mass commuting facility and any
23 one or more combinations of the foregoing.

24 (22) "Educational facility" means:

25 (a) Property, limited to a structure suitable for use
26 as a dormitory or other housing facility or a dining facility,
27 that is operated in the public sector and used for or useful
28 in connection with the operation of an institution for higher
29 education, as defined in s. 243.20(8), which offers the
30 baccalaureate or a higher degree and that is constructed in
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1 compliance with applicable codes as determined by appropriate
2 state agencies.

3 (b) Property that comprises the buildings and
4 equipment, structures, and special education use areas that
5 are built, installed, or established to serve primarily the
6 educational purposes of operating any nonprofit private
7 preschool, kindergarten, elementary school, middle school, or
8 high school that is established under chapter 617 or chapter
9 623, or that is owned or operated by an organization described
10 in s. 501(c)(3) of the United States Internal Revenue Code.
11 The requirements of this part for the financing of projects
12 through local agencies shall also apply to such schools.
13 Bonds issued under the provisions of this part for such
14 schools shall not be deemed to constitute a debt, liability,
15 or obligation of the state or any political subdivision
16 thereof, or a pledge of the faith and credit of the state or
17 of any such political subdivision, but shall be payable solely
18 from the revenues provided therefor.

19 Section 2. Section 623.13, Florida Statutes, is
20 amended to read:

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

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