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2 An act relating to community colleges; amending  
3 ss. 239.117 and 240.35, F.S.; authorizing  
4 community colleges to bond capital improvement  
5 fees for financing or refinancing equipment,  
6 renovation, or remodeling of educational  
7 facilities; limiting terms; providing  
8 additional allowable uses; amending s. 240.319,  
9 F.S.; authorizing community college boards of  
10 trustees to issue revenue bonds for the purpose  
11 of equipment, renovation, or remodeling of  
12 educational facilities; providing an effective  
13 date.

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

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17 Section 1. Subsection (17) of section 239.117, Florida  
18 Statutes, as amended by chapter 97-383, Laws of Florida, is  
19 amended to read:

20 239.117 Postsecondary student fees.--

21 (17) Each school board and community college board of  
22 trustees may establish a separate fee for capital  
23 improvements, technology enhancements, or equipping buildings  
24 which may not exceed 5 percent of the matriculation fee for  
25 resident students or 5 percent of the matriculation and  
26 tuition fee for nonresident students. Funds collected by  
27 community colleges through these fees may be bonded only for  
28 the purpose of financing or refinancing new construction and  
29 equipment, renovation, or remodeling of educational  
30 facilities. The fee shall be collected as a component part of  
31 the registration and tuition fees, paid into a separate

1 account, and expended only to construct and equip, maintain,  
2 improve, or enhance the certificate career education or adult  
3 education facilities of the school district or community  
4 college. Projects funded through the use of the capital  
5 improvement fee must meet the survey and construction  
6 requirements of chapter 235. Pursuant to s. 216.0158, each  
7 school board and community college board of trustees shall  
8 identify each project, including maintenance projects,  
9 proposed to be funded in whole or in part by such fee. Capital  
10 improvement fee revenues may be pledged by a board of trustees  
11 as a dedicated revenue source to the repayment of debt,  
12 including lease-purchase agreements and revenue bonds, with a  
13 term not to exceed 20 years, and not to exceed the useful life  
14 of the asset being financed, only for the new construction and  
15 equipment, renovation, or remodeling of educational  
16 facilities. Community colleges may use the services of the  
17 Division of Bond Finance of the State Board of Administration  
18 to issue any bonds authorized through the provisions of this  
19 subsection. Any such bonds issued by the Division of Bond  
20 Finance shall be in compliance with the provisions of the  
21 State Bond Act. Bonds issued pursuant to the State Bond Act  
22 shall be validated in the manner provided by chapter 75. The  
23 complaint for such validation shall be filed in the circuit  
24 court of the county where the seat of state government is  
25 situated, the notice required to be published by s. 75.06  
26 shall be published only in the county where the complaint is  
27 filed, and the complaint and order of the circuit court shall  
28 be served only on the state attorney of the circuit in which  
29 the action is pending. A maximum of 15 cents per credit hour  
30 may be allocated from the capital improvement fee for child  
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1 care centers conducted by the school board or community  
2 college board of trustees.

3 Section 2. Paragraph (t) of subsection (4) of section  
4 240.319, Florida Statutes, as created by chapter 97-383, Laws  
5 of Florida, is amended to read:

6 240.319 Community college district boards of trustees;  
7 duties and powers.--

8 (4) Such rules, procedures, and policies for the  
9 boards of trustees include, but are not limited to, the  
10 following:

11 (t) Each board of trustees is authorized to borrow  
12 funds and incur debt, including the issuance of revenue bonds  
13 as specifically authorized in ss. 239.117(17) and 240.35(13),  
14 only for the new construction and equipment, renovation or  
15 remodeling of educational facilities. At the option of the  
16 board of trustees, bonds may be issued which are secured by a  
17 combination of revenues authorized to be pledged to bonds  
18 pursuant to ss. 239.117(17) and 240.35(13).

19 Section 3. Subsection (13) of section 240.35, Florida  
20 Statutes, as amended by chapter 97-383, Laws of Florida, is  
21 amended to read:

22 240.35 Student fees.--Unless otherwise provided, the  
23 provisions of this section apply only to fees charged for  
24 college credit instruction leading to an associate degree,  
25 including college-preparatory courses defined in s. 239.105.

26 (13) Each community college board of trustees may  
27 establish a separate fee for capital improvements, technology  
28 enhancements, or equipping student buildings which may not  
29 exceed \$1 per credit hour or credit-hour equivalent for  
30 residents and which equals or exceeds \$3 per credit hour for  
31 nonresidents. Funds collected by community colleges through

1 these fees may be bonded only for the purpose of financing or  
2 refinancing new construction and equipment, renovation, or  
3 remodeling of educational facilities. The fee shall be  
4 collected as a component part of the registration and tuition  
5 fees, paid into a separate account, and expended only to  
6 construct and equip, maintain, improve, or enhance the  
7 educational facilities of the community college. Projects  
8 funded through the use of the capital improvement fee shall  
9 meet the survey and construction requirements of chapter 235.  
10 Pursuant to s. 216.0158, each community college shall identify  
11 each project, including maintenance projects, proposed to be  
12 funded in whole or in part by such fee. Capital improvement  
13 fee revenues may be pledged by a board of trustees as a  
14 dedicated revenue source to the repayment of debt, including  
15 lease-purchase agreements and revenue bonds, with a term not  
16 to exceed 20 years, and not to exceed the useful life of the  
17 asset being financed, only for the new construction and  
18 equipment, renovation, or remodeling of educational  
19 facilities. Community colleges may use the services of the  
20 Division of Bond Finance of the State Board of Administration  
21 to issue any bonds authorized through the provisions of this  
22 subsection. Any such bonds issued by the Division of Bond  
23 Finance shall be in compliance with the provisions of the  
24 State Bond Act. Bonds issued pursuant to the State Bond Act  
25 shall be validated in the manner provided by chapter 75. The  
26 complaint for such validation shall be filed in the circuit  
27 court of the county where the seat of state government is  
28 situated, the notice required to be published by s. 75.06  
29 shall be published only in the county where the complaint is  
30 filed, and the complaint and order of the circuit court shall  
31 be served only on the state attorney of the circuit in which

1 the action is pending. A maximum of 15 cents per credit hour  
2 may be allocated from the capital improvement fee for child  
3 care centers conducted by the community college.

4 Section 4. This act shall take effect July 1 of the  
5 year in which enacted.

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