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2 An act relating to community colleges; creating  
3 s. 240.383, F.S.; establishing the State  
4 Community College System Facility Enhancement  
5 Challenge Grant Program to aid community  
6 colleges in building high priority  
7 instructional and community-related capital  
8 facilities; providing for deposit of funds;  
9 requiring a capital facilities matching account  
10 within the direct-support organization of each  
11 community college to provide matching funds  
12 from private contributions; providing for  
13 matching appropriations; providing eligibility  
14 requirements; providing guidelines; providing  
15 for disbursement of unexpended funds; providing  
16 for naming of facilities; providing an  
17 effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:  
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21 Section 1. Section 240.383, Florida Statutes, is  
22 created to read:

23 240.383 State Community College System Facility  
24 Enhancement Challenge Grant Program.--

25 (1) The Legislature recognizes that the State  
26 Community College System does not have sufficient physical  
27 facilities to meet the current demands of its instructional  
28 and community programs. It further recognizes that, to  
29 strengthen and enhance the State Community College System, it  
30 is necessary to provide facilities in addition to those  
31 currently available from existing revenue sources. It further

1 recognizes that there are sources of private support that, if  
2 matched with state support, can assist in constructing much  
3 needed facilities and strengthen the commitment of citizens  
4 and organizations in promoting excellence throughout the state  
5 community colleges. Therefore, it is the intent of the  
6 Legislature to establish a program to provide the opportunity  
7 for each community college through its direct-support  
8 organization to receive and match challenge grants for  
9 instructional and community-related capital facilities within  
10 the community college.

11 (2) There is established the State Community College  
12 System Facility Enhancement Challenge Grant Program for the  
13 purpose of assisting the State Community College System in  
14 building high priority instructional and community-related  
15 capital facilities consistent with s. 240.301, including  
16 common areas connecting such facilities. The direct-support  
17 organizations that serve the community colleges shall solicit  
18 gifts from private sources to provide matching funds for  
19 capital facilities. For the purposes of this section, private  
20 sources of funds shall not include any federal or state  
21 government funds that a community college may receive.

22 (3) The Community College Capital Facilities Matching  
23 Trust Fund, if created by law, otherwise the General Revenue  
24 Fund, shall provide funds to match private contributions for  
25 the development of high priority instructional and  
26 community-related capital facilities, including common areas  
27 connecting such facilities, within the State Community College  
28 System. All appropriated funds deposited in the trust fund,  
29 if created by law, otherwise the General Revenue Fund, shall  
30 be invested pursuant to the provisions of s. 18.125. Interest  
31 income accruing to that portion of the trust fund, if created

1 by law, otherwise the General Revenue Fund, shall increase the  
2 total funds available for the challenge grant program.

3 Interest income accruing from the private donations shall be  
4 returned to the participating direct-support organization upon  
5 completion of the project.

6 (4) Within the direct-support organization of each  
7 community college there must be established a separate capital  
8 facilities matching account for the purpose of providing  
9 matching funds from the direct-support organization's  
10 unrestricted donations or other private contributions for the  
11 development of high priority instructional and  
12 community-related capital facilities, including common areas  
13 connecting such facilities. The Legislature shall appropriate  
14 funds to be transferred to the Community College Capital  
15 Facilities Matching Trust Fund, if created by law, otherwise  
16 the General Revenue Fund, for distribution to a community  
17 college after matching funds are certified by the  
18 direct-support organization and community college. The Public  
19 Education Capital Outlay and Debt Service Trust Fund shall not  
20 be used as the source of the state match for private  
21 contributions.

22 (5) A project may not be initiated unless all private  
23 funds for planning, construction, and equipping the facility  
24 have been received and deposited in the direct-support  
25 organization's matching account and the state's share for the  
26 minimum amount of funds needed to begin the project has been  
27 appropriated by the Legislature. The Legislature may  
28 appropriate the state's matching funds in one or more fiscal  
29 years for the planning, construction, and equipping of an  
30 eligible facility. However, these requirements shall not  
31 preclude the community college or direct-support organization

1 from expending available funds from private sources to develop  
2 a prospectus, including preliminary architectural schematics  
3 and/or models, for use in its efforts to raise private funds  
4 for a facility. Additionally, any private sources of funds  
5 expended for this purpose are eligible for state matching  
6 funds should the project materialize as provided for in this  
7 section.

8 (6) To be eligible to participate in the State  
9 Community College System Facility Enhancement Challenge Grant  
10 Program, a community college, through its direct-support  
11 organization, shall raise a contribution equal to one-half of  
12 the total cost of a facilities construction project from  
13 private sources which shall be matched by a state  
14 appropriation equal to the amount raised for a facilities  
15 construction project, subject to the General Appropriations  
16 Act.

17 (7) If the state's share of the required match is  
18 insufficient to meet the requirements of subsection (6), the  
19 community college shall renegotiate the terms of the  
20 contribution with the donors. If the project is terminated,  
21 each private donation, plus accrued interest, reverts to the  
22 direct-support organization for remittance to the donor.

23 (8) By September 1 of each year, the Division of  
24 Community Colleges shall transmit to the Legislature a list of  
25 projects which meet all eligibility requirements to  
26 participate in the State Community College System Facility  
27 Enhancement Challenge Grant Program and a budget request which  
28 includes the recommended schedule necessary to complete each  
29 project.

30 (9) In order for a project to be eligible under this  
31 program, it must be survey recommended under the provisions of

1 s. 235.15 and included in the State Community College System  
2 5-year capital improvement plan, and it must receive prior  
3 approval from the State Board of Community Colleges.

4 (10) A community college project may not be removed  
5 from the approved 3-year PECO priority list because of its  
6 successful participation in this program until approved by the  
7 Legislature and provided for in the General Appropriations  
8 Act. When such a project is completed and removed from the  
9 list, all other projects shall move up on the 3-year PECO  
10 priority list.

11 (11) Any project funds that are unexpended after a  
12 project is completed shall revert to the community college's  
13 direct-support organization capital facilities matching  
14 account. Fifty percent of such unexpended funds shall be  
15 reserved for the community college which originally received  
16 the private contribution for the purpose of providing private  
17 matching funds for future facility construction projects as  
18 provided in this section. The balance of such unexpended  
19 funds shall be returned to the Community College Capital  
20 Facilities Matching Trust Fund, if created by law, otherwise  
21 the General Revenue Fund, and be available to any community  
22 college for future facility construction projects conducted  
23 pursuant to this section.

24 (12) The surveys, architectural plans, facility, and  
25 equipment shall be the property of the participating community  
26 college. A facility constructed under this section may be  
27 named in honor of a donor at the option of the community  
28 college district board of trustees. A facility may not be  
29 named after a living person without prior approval by the  
30 State Board of Community Colleges.

31 Section 2. This act shall take effect July 1, 1997.