

By Senator Grant

13-495A-98

1 A bill to be entitled
 2 An act relating to educational facilities;
 3 amending ss. 239.117, 240.35, F.S.; allowing
 4 community colleges to bond capital improvement
 5 fees for technology enhancement, maintenance,
 6 improvement, and renovation of educational
 7 facilities; providing an effective date.

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

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

14 239.117 Postsecondary student fees.--

15 (17) Each school board and community college board of
 16 trustees may establish a separate fee for capital
 17 improvements, technology enhancements, or equipping buildings
 18 which may not exceed 5 percent of the matriculation fee for
 19 resident students or 5 percent of the matriculation and
 20 tuition fee for nonresident students. Funds collected by
 21 community colleges through these fees may be bonded only for
 22 the purpose of financing or refinancing new construction,
 23 technology enhancement, maintenance, improvement, or
 24 renovation of educational facilities. The fee shall be
 25 collected as a component part of the registration and tuition
 26 fees, paid into a separate account, and expended only to
 27 construct and equip, maintain, improve, or enhance the
 28 certificate career education or adult education facilities of
 29 the school district or community college. Projects funded
 30 through the use of the capital improvement fee must meet the
 31 survey and construction requirements of chapter 235. Pursuant

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

25 Section 2. Subsection (13) of section 240.35, Florida
26 Statutes, as amended by section 3 of chapter 97-383, Laws of
27 Florida, is amended to read:

28 240.35 Student fees.--Unless otherwise provided, the
29 provisions of this section apply only to fees charged for
30 college credit instruction leading to an associate degree,
31 including college-preparatory courses defined in s. 239.105.

1 (13) Each community college board of trustees may
2 establish a separate fee for capital improvements or equipping
3 student buildings which may not exceed \$1 per credit hour or
4 credit-hour equivalent for residents and which equals or
5 exceeds \$3 per credit hour for nonresidents. Funds collected
6 by community colleges through these fees may be bonded only
7 for the purpose of financing or refinancing new construction,
8 technology enhancement, maintenance, improvement, or
9 renovation of educational facilities. The fee shall be
10 collected as a component part of the registration and tuition
11 fees, paid into a separate account, and expended only to
12 construct and equip, maintain, improve, or enhance the
13 educational facilities of the community college. Projects
14 funded through the use of the capital improvement fee shall
15 meet the survey and construction requirements of chapter 235.
16 Pursuant to s. 216.0158, each community college shall identify
17 each project, including maintenance projects, proposed to be
18 funded in whole or in part by such fee. Capital improvement
19 fee revenues may be pledged by a board of trustees as a
20 dedicated revenue source to the repayment of debt, including
21 lease-purchase agreements and revenue bonds, with a term not
22 to exceed 20 years, only for the new construction of
23 educational facilities. Community colleges may use the
24 services of the Division of Bond Finance of the State Board of
25 Administration to issue any bonds authorized through the
26 provisions of this subsection. Any such bonds issued by the
27 Division of Bond Finance must ~~shall~~ be in compliance with the
28 provisions of the State Bond Act. Bonds issued pursuant to the
29 State Bond Act must ~~shall~~ be validated in the manner provided
30 by chapter 75. The complaint for such validation shall be
31 filed in the circuit court of the county where the seat of

1 state government is situated, the notice required to be
2 published by s. 75.06 shall be published only in the county
3 where the complaint is filed, and the complaint and order of
4 the circuit court shall be served only on the state attorney
5 of the circuit in which the action is pending. A maximum of 15
6 cents per credit hour may be allocated from the capital
7 improvement fee for child care centers conducted by the
8 community college.

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

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13 SENATE SUMMARY

14 Authorizes community colleges to bond capital-improvement
15 fees for financing or refinancing technology enhancement,
16 maintenance, improvement, or renovation of educational
17 facilities.
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