

By the Committee on Education and Senator Grant

304-1749-98

1 A bill to be entitled
2 An act relating to community colleges; amending
3 ss. 239.117, 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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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
8 COMMITTEE SUBSTITUTE FOR
9 Senate Bill 962

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11 Authorizes community colleges to incur debt or issue revenue
12 bonds backed by student capital improvement fees for the
13 additional purposes of equipping, renovating, or remodeling
14 educational facilities and limits the term of such
15 indebtedness.

16 Authorizes community colleges to charge a separate fee for
17 technology enhancement for students enrolled in college credit
18 courses.

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