

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1592

SPONSOR: Education Committee

SUBJECT: Charter School Capital Outlay Trust Fund

DATE: March 27, 2000

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Harkey</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/1 amend.</u>
2.	<u>McKee</u>	<u>Hadi</u>	<u>FP</u>	<u>Favorable</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

**I. Summary:**

This bill creates the Charter School Capital Outlay Trust Fund. The bill provides a procedure to be followed for review of the trust fund prior to its scheduled termination. If the trust fund were terminated, the Department of Education (DOE) would be required to pay any outstanding debts or obligations of the trust fund.

If created, the trust fund would be terminated on July 1, 2004, as required by the State Constitution.

The bill will take effect upon becoming a law; however, the bill must be passed by three-fifths of the membership of each house of the Legislature in order to become law.

This bill creates two unnumbered sections of the Florida Statutes.

**II. Present Situation:**

Florida's charter school law, s. 228.056, F.S., requires the Legislature to review charter school operations during the 2000 regular legislative session. The Legislative review has included an interim project report by the staff of the Senate Education Committee (Interim Project Report No. 2000-77), a program review by the Office of Program Policy Analysis and Government Accountability (OPPAGA), and a review of facilities issues by the Senate Select Subcommittee on Charter Schools. In addition, the legislatively mandated Charter School Review Panel examined issues relating to charter school operations and issued a report in January 2000, containing 17 recommendations.

The Senate Select Subcommittee recommended that the Legislature create a trust fund for charter school capital outlay funds. The Subcommittee recommended dedicating funds to the trust fund to be distributed in pilot project grants through a competitive process.

**III. Effect of Proposed Changes:**

This bill creates the Charter School Capital Outlay Trust Fund. The bill provides a procedure to be followed for review of the trust fund prior to its scheduled termination. If the trust fund were terminated, the DOE would be required to pay any outstanding debts or obligations of the trust fund.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

Under Article III, section 19, of the State Constitution, a trust fund must be created in a separate bill for that purpose only, and the bill must be passed by three-fifths of the membership of each house of the Legislature in order to become law.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

# 1 by Education Committee--

Changes the effective date of the bill to July 1, 2000.

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This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

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