

1 A bill to be entitled
2 An act relating to postsecondary education;
3 amending s. 240.2605, F.S., relating to the
4 Trust Fund for Major Gifts; revising matching
5 requirements for receipt of funds from the
6 trust fund; providing matching level for
7 donations received before July 1, 2000;
8 providing matching levels for gift agreements
9 signed and received by July 1, 1999; providing
10 separate matching requirements for universities
11 endowing two-plus-two scholarships with
12 community colleges; deleting provisions
13 authorizing or requiring encumbrance of state
14 matching funds for challenge grants; deleting a
15 provision requiring university presidents to
16 list donations from private donors for specific
17 types of donations for the 1999-2000 fiscal
18 year only; providing an effective date.

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

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22 Section 1. Section 240.2605, Florida Statutes, is
23 amended to read:

24 240.2605 Trust Fund for Major Gifts.--

25 (1) There is established a Trust Fund for Major Gifts.
26 The purpose of the trust fund is to enable the Board of
27 Regents Foundation, each university, and New College to
28 provide donors with an incentive in the form of matching
29 grants for donations for the establishment of permanent
30 endowments, which must be invested, with the proceeds of the
31 investment used to support libraries and instruction and

1 research programs, as defined by procedure of the Board of
2 Regents. All funds appropriated for the challenge grants, new
3 donors, major gifts, or eminent scholars program must be
4 deposited into the trust fund and invested pursuant to s.
5 18.125 until the Board of Regents allocates the funds to
6 universities to match private donations. Notwithstanding s.
7 216.301 and pursuant to s. 216.351, any undisbursed balance
8 remaining in the trust fund and interest income accruing to
9 the portion of the trust fund which is not matched and
10 distributed to universities must remain in the trust fund and
11 be used to increase the total funds available for challenge
12 grants. ~~The Board of Regents may authorize any university to~~
13 ~~encumber the state matching portion of a challenge grant from~~
14 ~~funds available under s. 240.272.~~

15 (2) The Board of Regents shall specify the process for
16 submission, documentation, and approval of requests for
17 matching funds, accountability for endowments and proceeds of
18 endowments, allocations to universities, restrictions on the
19 use of the proceeds from endowments, and criteria used in
20 determining the value of donations.

21 (3)(a) The Board of Regents shall allocate the amount
22 appropriated to the trust fund to the Board of Regents
23 Foundation, each university, and New College based on the
24 amount of the donation and the restrictions applied to the
25 donation.

26 (b) Donations for a specific purpose must be matched
27 in the following manner:

28 1. The Board of Regents Foundation and each university
29 that raises at least \$100,000 but no more than \$999,999
30 ~~\$599,999~~ from a private source must receive a matching grant
31 equal to 50 percent of the private contribution.

1 ~~2. The Board of Regents Foundation and each university~~
2 ~~that raises a contribution of at least \$600,000 but no more~~
3 ~~than \$1 million from a private source must receive a matching~~
4 ~~grant equal to 70 percent of the private contribution.~~

5 ~~2.3.~~ The Board of Regents Foundation and each
6 university that raises a contribution equal to or in excess of
7 \$1 million but no more than ~~\$2,999,999~~ \$1.5 million from a
8 private source must receive a matching grant equal to 60 ~~75~~
9 percent of the private contribution.

10 ~~4. The Board of Regents Foundation and each university~~
11 ~~that raises a contribution in excess of \$1.5 million but no~~
12 ~~more than \$2 million from a private source must receive a~~
13 ~~matching grant equal to 80 percent of the private~~
14 ~~contribution.~~

15 ~~3.5.~~ The Board of Regents Foundation and each
16 university that raises a contribution equal to or in excess of
17 ~~\$3~~ \$2 million from a private source must receive a matching
18 grant equal to 85 ~~100~~ percent of the private contribution.

19 4. Donations received before July 1, 2000, shall be
20 matched at the percentage level in effect on the date the gift
21 was received. Any gift agreements signed and received by July
22 1, 1999 that were approved for payment over a period of up to
23 five years would be eligible for the level of match in effect
24 when the agreement was received and initial payment was made.

25 5. The amount of matching funds used to match a single
26 gift in any given year shall be limited to \$3 million. The
27 total amount of matching funds available for any single gift
28 shall be limited to \$15 million, to be distributed in equal
29 amounts of \$3 million per year over a period of 5 years,
30 subject to the availability of funds.

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1 (c) Notwithstanding subparagraphs (b)1.-3., if a
 2 university seeking matching funds under this section and a
 3 community college seeking matching funds under s. 240.36
 4 jointly endow a two-plus-two scholarship, the university shall
 5 receive matching funds on the same basis as the community
 6 college under s. 240.36(3). To be eligible for matching funds
 7 under this paragraph, the notification of receipt and deposit
 8 of private contributions for such purpose must be submitted
 9 jointly by a community college and a state university in
 10 increments of \$50,000, consisting of \$30,000 to the university
 11 from a single donor and \$20,000 to the community college, with
 12 a maximum of 50 scholarships per year being eligible for a
 13 match. Five scholarships per year shall be reserved for each
 14 state university until March 1, at which time any unmatched
 15 funds shall be made available to universities and community
 16 colleges under procedures established by the Board of Regents
 17 and the State Board of Community Colleges.

18 ~~(c) The Board of Regents shall encumber state matching~~
 19 ~~funds for any pledged contributions, pro rata, based on the~~
 20 ~~requirements for state matching funds as specified for the~~
 21 ~~particular challenge grant and the amount of the private~~
 22 ~~donations actually received by the university or Board of~~
 23 ~~Regents Foundation for the respective challenge grant.~~

24 (4) Matching funds may be provided for contributions
 25 encumbered or pledged under the Florida Endowment Trust Fund
 26 for Eminent Scholars Act prior to July 1, 1994, and for
 27 donations or pledges of any amount equal to or in excess of
 28 the prescribed minimums which are pledged for the purpose of
 29 this section.

30 (5)(a) The Board of Regents Foundation, each
 31 university foundation, and New College Foundation shall

1 establish a challenge grant account for each challenge grant
2 as a depository for private contributions and state matching
3 funds to be administered on behalf of the Board of Regents,
4 the university, or New College. State matching funds must be
5 transferred to a university foundation or New College
6 Foundation upon notification that the university or New
7 College has received and deposited the amount specified in
8 this section in a foundation challenge grant account.

9 (b) The foundation serving a university and New
10 College Foundation each has the responsibility for the
11 maintenance and investment of its challenge grant account and
12 for the administration of the program on behalf of the
13 university or New College, pursuant to procedures specified by
14 the Board of Regents. Each foundation shall include in its
15 annual report to the Board of Regents information concerning
16 collection and investment of matching gifts and donations and
17 investment of the account.

18 (c) A donation of at least \$600,000 and associated
19 state matching funds may be used to designate an Eminent
20 Scholar Endowed Chair pursuant to procedures specified by the
21 Board of Regents.

22 (6) The donations, state matching funds, or proceeds
23 from endowments established under this section may not be
24 expended for the construction, renovation, or maintenance of
25 facilities or for the support of intercollegiate athletics.

26 (7) The Board of Regents Foundation may participate in
27 the same manner as a university foundation with regard to the
28 provisions of this section.

29 ~~(8) Notwithstanding other provisions of this section,~~
30 ~~for the 1999-2000 fiscal year only, for gifts received during~~
31 ~~this period, the university presidents shall provide a list of~~

1 ~~donations from private donors for challenge grants, new~~
2 ~~donations, major gifts, and the eminent scholars program to be~~
3 ~~matched for the 1999-2000 fiscal year to the Board of Regents.~~
4 ~~The listing shall contain an explanation of the donation, a~~
5 ~~statement of the specific benefits accrued to the university~~
6 ~~as a result of the donation, and how the donation is~~
7 ~~consistent with the mission of the institution, as defined by~~
8 ~~the Board of Regents in the 1998-2003 Strategic Plan.~~
9 ~~University presidents shall rank each private donation to~~
10 ~~their university, giving highest priority to private donations~~
11 ~~that provide additional library resources to universities;~~
12 ~~donations that provide student assistance through~~
13 ~~scholarships, fellowships, or assistantships; donations that~~
14 ~~provide funding for existing academic programs at~~
15 ~~universities; and donations that meet the matching requirement~~
16 ~~without encumbering pledges. The Board of Regents, using the~~
17 ~~same criteria, shall develop a systemwide priority list and~~
18 ~~may set restrictions on the annual amount of matching funds~~
19 ~~provided for single donations that exceed \$5 million.~~

20 Section 2. This act shall take effect July 1, 2000.

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