

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Attkisson offered the following:

Amendment (with title amendment)

On page 43, between lines 13 and 14, of the bill

insert:

(1) By mutual agreement with the local general purpose government, the applicant for a comprehensive plan amendment, rezoning, or an approved development may satisfy any proportionate share mitigation required as follows:

(a) The local government shall designate by ordinance a geographic area to be known as a neighborhood school construction zone. The zone shall include the area within the proposed comprehensive plan amendment, rezoning designation, or approved development.

(b) The local general purpose government shall also create by ordinance a neighborhood school construction trust fund. All revenues allocated to and deposited in the trust fund shall be used to fund educational facilities construction within the neighborhood school construction zone pursuant to an approved educational facilities plan.

1 (2) Upon creation of a neighborhood school
 2 construction zone, all educational facilities impact fees,
 3 voluntary or involuntary extraction payments, collected within
 4 the zone shall be deposited in the trust fund for facilities
 5 construction within the zone. All interlocal agreements
 6 between local general purpose governments and school districts
 7 shall provide for such allocation.

8 (3) In the event the local general purpose government
 9 and the applicant agree pursuant to paragraph (a) to the
 10 described proportionate share mitigation, additional annual
 11 funding of the trust fund shall be in an amount not less than
 12 the increment in the income, proceeds, revenues, and funds of
 13 the school district derived from or held in connection with
 14 the undertaking and carrying out of residential development
 15 within the neighborhood school construction zone. Such
 16 increment shall be determined annually and shall be that
 17 amount equal to 95 percent of the difference between:

18 (a) The amount of ad valorem taxes levied each year by
 19 the school district within the neighborhood school
 20 construction zone pursuant to s. 236.25(1), Florida Statutes,
 21 exclusive of any amount for any debt service millage, on
 22 taxable real property contained within the geographic
 23 boundaries of the neighborhood school construction zone; and

24 (b) The amount of ad valorem taxes which would have
 25 been produced pursuant to s. 236.25(1), Florida Statutes, by
 26 the rate upon which the tax is levied each year by the school
 27 district, exclusive of any debt service millage, upon the
 28 total assessed value of the taxable real property in the
 29 neighborhood school construction zone as shown upon the most
 30 recent assessment roll used in connection with the taxation of
 31 such property by the school district prior to the effective

1 date of the ordinance providing for the funding of the trust
2 fund.

3 (4) An approved applicant may petition the local
4 general purpose government for funds to build an educational
5 facility. The facility shall be built according to state law,
6 located geographically within the established neighborhood
7 school construction zone, and adhere to the following
8 requirements:

9 (a) For schools operated by the school district, the
10 school must be included in the district's approved facilities
11 plan or approved by the school board.

12 (b) For schools organized and operated pursuant to s.
13 228.056, Florida Statutes, the application for the school must
14 be approved according to the requirements of law prior to
15 petitioning the local general purpose government for funding.

16 (5)(a) If the funds generated pursuant to this section
17 are insufficient to fully fund the proposed public school, the
18 difference between the amount needed to construct the school
19 and the local revenue source, up to 35 percent of the
20 construction costs, shall be funded as follows:

21 1. For district-operated schools, the difference shall
22 be funded pursuant to other local sources of revenue per
23 agreement with the local school district.

24 2. For schools approved pursuant to s. 228.056,
25 Florida Statutes, the difference shall be funded with funds
26 generated pursuant to s. 228.0561, Florida Statutes.

27 (b) No schools shall be built costing more than the
28 SMART Schools Clearinghouse annual estimate of student station
29 costs.

30 (c) The SMART Schools Clearinghouse shall oversee this
31 section as a 3-year pilot project beginning July 1, 2001. The

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1 pilot project shall be for up to six counties selected by the
2 SMART Schools Clearinghouse. A report showing the feasibility
3 and long-term effects of neighborhood school construction
4 trust funds shall be made to the Governor, the President of
5 the Senate, and the Speaker of the House of Representatives by
6 July 1, 2004.

9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 3, line 31, after the semicolon, of the title
12 of the bill

14 insert:

15 creating a neighborhood school construction
16 zone pilot project; providing for procedures;
17 providing that impact fees within the zone must
18 be placed in a facilities construction trust
19 fund for that zone; providing additional
20 funding; providing that the SMART Schools
21 Clearinghouse shall oversee the pilot project
22 and submit a report to the Governor and
23 Legislature regarding the program's
24 feasibility;

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