

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 to Amendment (925427) (with title amendment)

On page 23, between lines 9 and 10, of the amendment

insert:

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

(i) 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 pan amendment, rezoning designation or approved development.

(ii) 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

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1 an approved educational facilities plan.

2 (b) Upon creation of a neighborhood school zone, all
3 educational facilities impact fees collected within the
4 Neighborhood School Construction Zone shall be deposited in
5 the trust fund for facilities construction within the
6 mitigation district. Provided further, all interlocal
7 agreements between local general purpose governments and
8 school districts shall provide for such allocation.

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

20 (i) The amount of ad valorem taxes levied each year by
21 the school district within the Neighborhood School
22 Construction Zone pursuant to section 236.25(1), F.S.,
23 exclusive of any amount for any debt service millage, on
24 taxable real property contained within the geographic
25 boundaries of the educational facilities mitigation district;
26 and

27 (ii) The amount of ad valorem taxes which would have
28 been produced pursuant to section 236.25(1), F.S., by the rate
29 upon which the tax is levied each year by the school district,
30 exclusive of any debt service millage, upon the total assessed
31 value of the taxable real property in the educational

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1 facilities mitigation district as shown upon the most recent
2 assessment roll used in connection with the taxation of such
3 property by the school district prior to the effective date of
4 the ordinance providing for the funding of the trust fund.

5 (d) An approved applicant may petition the local
6 general purpose government for funds to build an educational
7 facility. The facility shall be built according to Florida
8 law, located geographically within the established education
9 facilities mitigation district, and adhere to the following
10 requirements:

11 (i) For schools operated by the school district, the
12 school must be included in the district's approved facilities
13 plan or approved by the elected school board.

14 (ii) for schools organized and operated pursuant to
15 section 228.056, Florida Statutes, the application for the
16 school must be approved according to the requirements of law
17 prior to petitioning the local general purpose government for
18 funding.

19 (e) Should the funds generated pursuant to this
20 section be insufficient to fully fund the proposed public
21 school, the difference between the amount needed to construct
22 the school and the local revenue source, up to 35% of the
23 construction costs, shall be funded as follows:

24 (i) For district operated schools the difference will
25 be funded pursuant to other local sources of revenue per
26 agreement with the local school district.

27 (ii) For schools approved pursuant to section 228.056,
28 Florida Statutes, the difference shall be funded with funds
29 generated pursuant to section 228.0561, Florida Statutes.

30 (iii) No schools shall be built costing more than the
31 Florida Smart Schools Clearinghouse annual estimate of student

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1 station costs.
 2 (iv) The Florida Smart Schools Clearinghouse shall
 3 oversee this section as a 3 year pilot project beginning July
 4 1, 2001. The pilot project will be for up to 6 counties
 5 selected by the Florida Smart Schools Clearinghouse. A report
 6 showing the feasibility and long term effects of the
 7 Neighborhood School Construction Fund shall be made to the
 8 Governor, Senate President and Speaker of the House.

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And the title is amended as follows:

On page 110, line 5, after the semicolon, of the amendment

insert:

creating a Neighborhood School Construction
 Zone pilot project; providing for procedures;
 providing that impact fees within the zone must
 be place in a facilities construction trust
 fund for that zone; providing additional
 funding; provides that the Florida Smart
 Schools Clearinghouse oversees the pilot
 projects and that it must submit a report
 regarding the programs feasibility.