

By Senator Cowin

20-1695B-03

See HB 81

1                                   A bill to be entitled  
 2           An act relating to education finance; creating  
 3           s. 1011.63, F.S.; authorizing school districts  
 4           to opt out of the restrictions applied to  
 5           allocations for formula-funded categorical  
 6           programs and to use such funds at their  
 7           discretion; providing requirements to obtain  
 8           such discretionary spending authority;  
 9           requiring school districts to meet certain  
 10          performance standards; requiring public notice  
 11          in local newspapers; requiring reporting;  
 12          providing an effective date.

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

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 16           Section 1. Section 1011.63, Florida Statutes, is  
 17 created to read:

18           1011.63 Local option for categorical funding.--  
 19           (1) Notwithstanding s. 1011.62 or any other provision  
 20 of law to the contrary, any school district receiving funds  
 21 appropriated in the General Appropriations Act for  
 22 formula-funded categorical programs may, upon request  
 23 submitted to the Commissioner of Education before the  
 24 convening of the initial Florida Education Finance Program  
 25 Appropriation Allocation Conference as provided in s. 1011.65  
 26 and approval by the commissioner, receive those categorical  
 27 funds in a lump sum and use the funds for any or all of the  
 28 purposes for which the funds were appropriated or apply the  
 29 funds to other classroom education purposes, as determined by  
 30 the district school board after meeting the requirements  
 31 necessary for which the funds were originally appropriated and

1 the performance standards determined by the Department of  
2 Education. Such performance standards must ensure that the  
3 purpose for which the categorical funds were appropriated is  
4 otherwise provided for prior to diverting those funds to  
5 another purpose. The district school board must provide public  
6 notice in a local newspaper of general circulation when such  
7 approval is granted. In addition, within 14 business days  
8 after receiving such funds, the district school board must  
9 provide public notice in a local newspaper of general  
10 circulation of the purposes for which the funds will be used  
11 and the necessity for reallocating the funds.

12 (2) In reporting its expenditures under s. 1010.20, a  
13 school district granted discretionary spending authority under  
14 this section shall report on a school-by-school and a  
15 district-aggregate basis how all funds, including federal  
16 funds, allocated to the district for formula-funded  
17 categorical programs were expended.

18 Section 2. This act shall take effect July 1, 2003.  
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