

By Senator Wasserman Schultz

34-225-03

1 A bill to be entitled
2 An act relating to the School District Capital
3 Outlay Trust Fund; amending s. 1013.03, F.S.;
4 providing for administration of the trust fund
5 by the Department of Education; creating the
6 trust fund within the department and specifying
7 the moneys that comprise the fund; exempting
8 the trust fund from service charges imposed by
9 s. 215.20, F.S.; providing that balances
10 remaining at the end of a fiscal year shall
11 remain in the trust fund; providing for future
12 review and termination or re-creation of the
13 trust fund; providing a contingent effective
14 date.

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

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18 Section 1. Subsection (5) of section 1013.03, Florida
19 Statutes, is amended to read:

20 1013.03 Functions of the department.--The functions of
21 the Department of Education as it pertains to educational
22 facilities shall include, but not be limited to, the
23 following:

24 (5) Administer, under the supervision of the
25 Commissioner of Education, the Public Education Capital Outlay
26 and Debt Service Trust Fund, ~~and~~ the School District and
27 Community College District Capital Outlay and Debt Service
28 Trust Fund, and the School District Capital Outlay Trust Fund.

29 Section 2. School District Capital Outlay Trust
30 Fund.--

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1 (1) The School District Capital Outlay Trust Fund is
2 created within the Department of Education. The trust fund
3 shall be comprised of moneys deposited pursuant to section
4 199.292(2), Florida Statutes, and otherwise appropriated by
5 the Legislature for school district capital outlay purposes,
6 including school construction, renovation, and repair and
7 other uses set out in section 1011.71(2) and (5), Florida
8 Statutes. The trust fund is exempt from the service charges
9 imposed by section 215.20, Florida Statutes.

10 (2) Notwithstanding the provisions of section 216.301,
11 Florida Statutes, and pursuant to the provisions of section
12 216.351, Florida Statutes, any balance in the trust fund at
13 the end of any fiscal year shall remain in the trust fund at
14 the end of that year and shall be available for carrying out
15 the purposes of the trust fund.

16 (3) Pursuant to the provisions of s. 19(f)(2), Art.
17 III of the State Constitution, the trust fund shall, unless
18 terminated sooner, be terminated on July 1, 2007. Prior to its
19 scheduled termination, the trust fund shall be reviewed as
20 provided in section 215.3206(1) and (2), Florida Statutes.

21 Section 3. This act shall take effect on the same date
22 as Senate Bill or similar legislation amending section
23 199.292, Florida Statutes, to provide for deposit of funds in
24 the School District Capital Outlay Trust Fund takes effect if
25 such legislation is adopted in the same legislative session or
26 an extension thereof and becomes law.

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29 SENATE SUMMARY

30 Creates the School District Capital Outlay Trust Fund
31 within the Department of Education.