

By Senator Jones

13-667-05

See HB

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A bill to be entitled

An act relating to community colleges; amending s. 1009.23, F.S.; revising provisions relating to the fee for capital improvements, technology enhancements, or equipping student buildings and the use thereof; providing requirements for the issuance and validation of bonds; revising provisions relating to the allocation for child care centers; amending s. 1011.83, F.S.; providing for funding a community college authorized to grant baccalaureate degrees; providing an effective date.

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

Section 1. Subsection (11) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Community college student fees.--

(11)(a) Each community college board of trustees may establish a separate fee for capital improvements, technology enhancements, or equipping student buildings which may not exceed 10 percent of tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students. The fee for resident students shall be limited to an increase of \$2 per credit hour over the prior year~~\$1 per credit hour or credit hour equivalent for residents and which equals or exceeds \$3 per credit hour for nonresidents.~~ Funds collected by community colleges through these fees may be bonded only as provided in this subsection for the purpose of financing or refinancing new construction and equipment, renovation, or remodeling of educational

1 facilities. The fee shall be collected as a component part of
2 the tuition and fees, paid into a separate account, and
3 expended only to construct and equip, maintain, improve, or
4 enhance the educational facilities of the community college.
5 Projects funded through the use of the capital improvement fee
6 shall meet the survey and construction requirements of chapter
7 1013. Pursuant to s. 216.0158, each community college shall
8 identify each project, including maintenance projects,
9 proposed to be funded in whole or in part by such fee.

10 (b) Capital improvement fee revenues may be pledged by
11 a board of trustees as a dedicated revenue source to the
12 repayment of debt, including lease-purchase agreements with an
13 overall term, including renewals, extensions, and refundings,
14 of not more than 7 years and revenue bonds~~7~~, with a term not to
15 exceed 20 annual maturities ~~years7~~, and not to exceed the
16 useful life of the asset being financed, only for financing or
17 refinancing of the new construction and equipment, renovation,
18 or remodeling of educational facilities. ~~Community colleges~~
19 ~~may use the services of the Division of Bond Finance of the~~
20 ~~State Board of Administration to issue any~~ Bonds authorized
21 through the provisions of this subsection shall be. Any such
22 ~~bonds~~ issued by the Division of Bond Finance upon the request
23 of the community college board of trustees shall be in
24 compliance with the provisions of s. 11(d), Art. VII of the
25 State Constitution and the State Bond Act. The Division of
26 Bond Finance may pledge fees collected by one or more
27 community colleges to secure such bonds. Any project included
28 in the approved educational plant survey pursuant to chapter
29 1013 is approved pursuant to s. 11(d), Art. VII of the State
30 Constitution.

1 (c) The state does hereby covenant with the holders of
2 the bonds issued under this subsection that it will not take
3 any action that will materially and adversely affect the
4 rights of such holders so long as the bonds authorized by this
5 subsection are outstanding.

6 ~~(d) Any validation of the bonds issued pursuant to the~~
7 ~~State Bond Act shall be validated~~ in the manner provided by
8 chapter 75. Only the initial series of bonds is required to be
9 validated. The complaint for such validation shall be filed in
10 the circuit court of the county where the seat of state
11 government is situated, the notice required to be published by
12 s. 75.06 shall be published only in the county where the
13 complaint is filed, and the complaint and order of the circuit
14 court shall be served only on the state attorney of the
15 circuit in which the action is pending.

16 (e) A maximum of 15 percent cents per credit hour may
17 be allocated from the capital improvement fee for child care
18 centers conducted by the community college. The use of capital
19 improvement fees for such purpose shall be subordinate to the
20 payment of any bonds secured by the fees.

21 Section 2. Section 1011.83, Florida Statutes, is
22 amended to read:

23 1011.83 Financial support of community colleges.--

24 (1) Each community college that has been approved by
25 the Department of Education and meets the requirements of law
26 and rules of the State Board of Education shall participate in
27 the Community College Program Fund. However, funds to support
28 workforce education programs conducted by community colleges
29 shall be provided pursuant to s. 1011.80.

30 (2) Community colleges shall fund the nonrecurring
31 costs related to the initiation of a new baccalaureate degree

1 program pursuant to s. 1007.33 without new state
2 appropriations unless special grant funds are designated by
3 the State Board of Education, subject to funding by the
4 Legislature for this purpose. However, a new baccalaureate
5 degree program may not accept students without a recurring
6 appropriation for this purpose. Recurring operational funding
7 for a community college authorized to grant baccalaureate
8 degrees pursuant to s. 1007.33 shall be funded as follows:

9 (a) As a community college for its workforce education
10 programs and for its lower-division-level college credit
11 courses and programs funded in the Community College Program
12 Fund pursuant to this section.

13 (b) As a baccalaureate-degree-level institution for
14 its upper-division-level courses and programs. State support
15 for these programs should not exceed 85 percent of the amount
16 of state support per full-time equivalent student in a
17 comparable state university program. Funds appropriated for
18 this purpose may be used only for the baccalaureate degree
19 programs.

20 Section 3. This act shall take effect July 1, 2005.
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