

1                                   A bill to be entitled  
 2           An act relating to funding for educational facilities;  
 3           amending s. 1013.65, F.S.; revising the sum appropriated  
 4           for the Classrooms for Kids Program; amending s. 1013.738,  
 5           F.S.; revising the eligibility criteria for the High  
 6           Growth District Capital Outlay Assistance Grant Program;  
 7           revising provisions for allocation of funds; providing  
 8           calculations; providing an effective date.

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

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 12           Section 1. Paragraph (a) of subsection (2) of section  
 13   1013.65, Florida Statutes, is amended to read:

14           1013.65 Educational and ancillary plant construction  
 15   funds; Public Education Capital Outlay and Debt Service Trust  
 16   Fund; allocation of funds.--

17           (2)(a) The Public Education Capital Outlay and Debt  
 18   Service Trust Fund shall be comprised of the following sources,  
 19   which are hereby appropriated to the trust fund:

20           1. Proceeds, premiums, and accrued interest from the sale  
 21   of public education bonds and that portion of the revenues  
 22   accruing from the gross receipts tax as provided by s. 9(a)(2),  
 23   Art. XII of the State Constitution, as amended, interest on  
 24   investments, and federal interest subsidies.

25           2. General revenue funds appropriated to the fund for  
 26   educational capital outlay purposes.

27           3. All capital outlay funds previously appropriated and  
 28   certified forward pursuant to s. 216.301.

29 4.a. Funds paid pursuant to s. 201.15(1)(d).

30 b. The sum of \$75 ~~\$41.75~~ million of such funds shall be  
 31 appropriated annually for expenditure to fund the Classrooms for  
 32 Kids Program created in s. 1013.735 and shall be distributed as  
 33 provided by that section.

34 Section 2. Subsections (2) and (3) of section 1013.738,  
 35 Florida Statutes, are amended to read:

36 1013.738 High Growth District Capital Outlay Assistance  
 37 Grant Program.--

38 (2) In order to qualify for a grant, a school district  
 39 must meet the following criteria:

40 (a) The district must have levied the full 2 mills of  
 41 nonvoted discretionary capital outlay millage authorized in s.  
 42 1011.71(2) for each of the past 3 ~~4~~ fiscal years or currently  
 43 receive an amount from the school capital outlay surtax  
 44 authorized in s. 212.055(6) that, when added to the nonvoted  
 45 discretionary capital outlay millage collected, equals the  
 46 amount that would be generated if the full 2 mills of nonvoted  
 47 discretionary capital outlay millage had been collected over the  
 48 past 3 fiscal years.

49 (b) The district must receive in the current fiscal year  
 50 revenue from the collection of one of the following:

51 1. An educational impact fee.

52 2. A local government infrastructure sales surtax  
 53 authorized in s. 212.055(2).

54 3. A school capital outlay surtax authorized in s.  
 55 212.055(6). If the school capital outlay surtax is used to meet  
 56 the conditions of paragraph (a), the amount of the school

57 capital outlay surtax collected must be in excess of the amount  
58 in paragraph (a).

59 4. A local bond referendum as authorized in ss. 1010.40-  
60 1010.55.

61 ~~(b) Fifty percent of the revenue derived from the 2-mill~~  
62 ~~nonvoted discretionary capital outlay millage for the past 4~~  
63 ~~fiscal years, when divided by the district's growth in capital~~  
64 ~~outlay FTE students over this period, produces a value that is~~  
65 ~~less than the average cost per student station calculated~~  
66 ~~pursuant to s. 1013.72(2), and weighted by statewide growth in~~  
67 ~~capital outlay FTE students in elementary, middle, and high~~  
68 ~~schools for the past 4 fiscal years.~~

69 (c) The district must have equaled or exceeded ~~twice~~ the  
70 statewide average of growth in capital outlay FTE students over  
71 the previous 3-year ~~this same 4-year~~ period.

72 (d) The district must not have received an appropriation  
73 from the special facilities construction program in the current  
74 fiscal year or the previous fiscal year. ~~The Commissioner of~~  
75 ~~Education must have released all funds allocated to the district~~  
76 ~~from the Classrooms First Program authorized in s. 1013.68, and~~  
77 ~~these funds were fully expended by the district as of February 1~~  
78 ~~of the current fiscal year.~~

79 ~~(e) The total capital outlay FTE students of the district~~  
80 ~~is greater than 15,000 students.~~

81 (3) The funds provided in the General Appropriations Act  
82 shall be allocated pursuant to the following methodology:

83 (a) The Department of Education shall calculate a 3-year  
84 weighted average cost per student station using the average cost

85 per student station calculated under s. 1013.72(2) and the  
86 statewide average growth in capital outlay FTE students in  
87 elementary, middle, and high schools for the past 3 fiscal  
88 years.

89 (b) For each eligible district, the revenue derived from  
90 the 2-mill nonvoted discretionary capital outlay millage for the  
91 past 3 fiscal years shall be divided by the increase in capital  
92 outlay FTE for the same period.

93 (c) To determine the maximum potential grant for each  
94 eligible district, the amount derived in paragraph (b) shall be  
95 subtracted from the amount derived in paragraph (a) and  
96 multiplied by the average increase in capital outlay FTE  
97 students over the past 3 fiscal years.

98 (d) If the funds provided in the General Appropriations  
99 Act are insufficient to fully fund the maximum grants calculated  
100 pursuant to paragraph (c), the Department of Education shall  
101 prorate the funds based on each eligible district's prorated  
102 share of the total maximum award.

103 ~~(a) For each eligible district, the Department of~~  
104 ~~Education shall calculate the value of 50 percent of the revenue~~  
105 ~~derived from the 2-mill nonvoted discretionary capital outlay~~  
106 ~~millage for the past 4 fiscal years divided by the increase in~~  
107 ~~capital outlay FTE students for the same period.~~

108 ~~(b) The Department of Education shall determine, for each~~  
109 ~~eligible district, the amount that must be added to the value~~  
110 ~~calculated pursuant to paragraph (a) to produce the weighted~~  
111 ~~average value per student station calculated pursuant to~~  
112 ~~paragraph (2)(b).~~

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113       ~~(c) The value calculated for each eligible district~~  
114 ~~pursuant to paragraph (b) shall be multiplied by the average~~  
115 ~~increase in capital outlay FTE students for the past 4 fiscal~~  
116 ~~years to determine the maximum amount of a grant that may be~~  
117 ~~awarded to a district pursuant to this section.~~

118       ~~(d) In the event the funds provided in the General~~  
119 ~~Appropriations Act are insufficient to fully fund the maximum~~  
120 ~~grants calculated pursuant to paragraph (c), the Department of~~  
121 ~~Education shall allocate the funds based on each district's~~  
122 ~~prorated share of the total maximum award amount calculated for~~  
123 ~~all eligible districts.~~

124       Section 3. This act shall take effect July 1, 2006.