

Bill No. SB 2480

Barcode 954620

CHAMBER ACTION

Senate

House

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The Committee on Education (Webster) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

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

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

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

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

2. General revenue funds appropriated to the fund for

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1 educational capital outlay purposes.

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

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

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

9 Section 2. Subsections (2) and (3) of section  
10 1013.738, Florida Statutes, are amended to read:

11 1013.738 High Growth District Capital Outlay  
12 Assistance Grant Program.--

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

15 (a) The district must have levied the full 2 mills of  
16 nonvoted discretionary capital outlay millage authorized in s.  
17 1011.71(2) for each of the past 3 ~~4~~ fiscal years or currently  
18 receive an amount from the school capital outlay surtax  
19 authorized in s. 212.055(6) that, when added to the nonvoted  
20 discretionary capital outlay millage collected, equals the  
21 amount that would be generated if the full 2 mills of nonvoted  
22 discretionary capital outlay millage had been collected over  
23 the past 3 fiscal years.

24 (b) The district must receive in the current fiscal  
25 year revenue from the collection of an impact fee specifically  
26 for schools and revenue from the collection of one of the  
27 following:

28 1. A local government infrastructure sales surtax  
29 authorized in s. 212.055(2) in which a portion is dedicated  
30 for the construction of schools in the current fiscal year.

31 2. A school capital outlay surtax authorized in s.

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1 212.055(6). If the school capital outlay surtax is used to  
 2 meet the conditions of paragraph (2)(a), the amount of the  
 3 school capital outlay surtax collected must be in excess of  
 4 the amount in paragraph (2)(a).

5 3. A local bond referendum as authorized in ss.  
 6 1010.40-1010.55.

7 ~~(b) Fifty percent of the revenue derived from the~~  
 8 ~~2-mill nonvoted discretionary capital outlay millage for the~~  
 9 ~~past 4 fiscal years, when divided by the district's growth in~~  
 10 ~~capital outlay FTE students over this period, produces a value~~  
 11 ~~that is less than the average cost per student station~~  
 12 ~~calculated pursuant to s. 1013.72(2), and weighted by~~  
 13 ~~statewide growth in capital outlay FTE students in elementary,~~  
 14 ~~middle, and high schools for the past 4 fiscal years.~~

15 (c) The district must have equaled or exceeded three  
 16 times ~~twice~~ the statewide average of growth in capital outlay  
 17 FTE students over this same 3-year ~~4-year~~ period.

18 (d) The district must not have received an  
 19 appropriation from the special facilities construction program  
 20 in the current fiscal year or any of the 2 fiscal years prior  
 21 to the current fiscal year. ~~The Commissioner of Education must~~  
 22 ~~have released all funds allocated to the district from the~~  
 23 ~~Classrooms First Program authorized in s. 1013.68, and these~~  
 24 ~~funds were fully expended by the district as of February 1 of~~  
 25 ~~the current fiscal year.~~

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

28 (3) The funds provided in the General Appropriations  
 29 Act shall be allocated pursuant to the following methodology.  
 30 Each eligible district school board shall receive an amount  
 31 from the Public Education Capital Outlay and Debt Service

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1 Trust Fund to be calculated by computing the capital outlay  
2 full-time equivalent membership as determined by the  
3 Department of Education. Such membership must include, but is  
4 not limited to, kindergarten through 12th grade students,  
5 except hospital and homebound part-time students, students who  
6 are career education students, and adult disabled students who  
7 are enrolled in school district career centers. The capital  
8 outlay full-time equivalent membership shall be determined for  
9 kindergarten through the 12th grade and for career centers by  
10 averaging the unweighted full-time equivalent student  
11 membership for the second and third surveys and comparing the  
12 results on a school-by-school basis with the Florida Inventory  
13 for School Houses. The capital outlay full-time equivalent  
14 membership by grade level organization shall be used in making  
15 the following calculation: the capital outlay full-time  
16 equivalent membership by grade-level organization for the  
17 prior year must be used to compute the growth over the highest  
18 of the 3 years preceding the prior year. The total amount  
19 appropriated by the Legislature pursuant to this subsection  
20 shall be allocated among the growth capital outlay full-time  
21 equivalent membership. The allocation shall be prorated to the  
22 districts based upon each district's percentage of growth  
23 capital outlay full-time membership. The most recent 4-year  
24 capital outlay full-time equivalent membership data shall be  
25 used in each subsequent year's calculation for the allocation  
26 of funds pursuant to this subsection. If a change, correction,  
27 or recomputation of data during any year results in a  
28 reduction or increase of the calculated amount previously  
29 allocated to a district, the allocation to that district shall  
30 be adjusted correspondingly. If such recomputation results in  
31 an increase or decrease of the calculated amount, such

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1 additional or reduced amounts shall be added to or reduced  
2 from the district's future appropriations. However, no change,  
3 correction, or recomputation of data shall be made subsequent  
4 to 2 years following the initial annual allocation.†

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

10 ~~(b) The Department of Education shall determine, for~~  
11 ~~each eligible district, the amount that must be added to the~~  
12 ~~value calculated pursuant to paragraph (a) to produce the~~  
13 ~~weighted average value per student station calculated pursuant~~  
14 ~~to paragraph (2)(b).~~

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

20 ~~(d) In the event the funds provided in the General~~  
21 ~~Appropriations Act are insufficient to fully fund the maximum~~  
22 ~~grants calculated pursuant to paragraph (c), the Department of~~  
23 ~~Education shall allocate the funds based on each district's~~  
24 ~~prorated share of the total maximum award amount calculated~~  
25 ~~for all eligible districts.~~

26 Section 3. This act shall take effect upon becoming a  
27 law.

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30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

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1 Delete everything before the enacting clause

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3 and insert:

4 A bill to be entitled

5 An act relating to growth management; amending  
6 s. 1013.65, F.S.; revising the sum appropriated  
7 for the Classrooms for Kids Program; amending  
8 s. 1013.738, F.S.; revising the eligibility  
9 criteria for the High Growth District Capital  
10 Outlay Assistance Grant Program; revising  
11 provisions for allocation of funds provided by  
12 the General Appropriations Act to the Public  
13 Education Capital Outlay and Debt Service Trust  
14 Fund; providing an effective date.

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