

1 A bill to be entitled
 2 An act relating to growth management; amending s. 1013.65,
 3 F.S.; revising the sum appropriated for the Classrooms for
 4 Kids Program; amending s. 1013.738, F.S.; revising the
 5 eligibility criteria for the High Growth District Capital
 6 Outlay Assistance Grant Program; revising provisions for
 7 allocating funds provided by the General Appropriations
 8 Act to the Public Education Capital Outlay and Debt
 9 Service Trust Fund; providing an effective date.

10

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

12

13 Section 1. Paragraph (a) of subsection (2) of section
 14 1013.65, Florida Statutes, is amended to read:

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

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

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

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

28 3. All capital outlay funds previously appropriated and

29 certified forward pursuant to s. 216.301.

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

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

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

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

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

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

50 (b) The district must have received in the prior fiscal
 51 year revenue from the collection of an impact fee specifically
 52 for schools and revenue from the collection of one of the
 53 following:

54 1. A local government infrastructure sales surtax
 55 authorized in s. 212.055(2) in which a portion is dedicated for
 56 the construction of schools in such prior fiscal year or for

57 satisfaction of debt service pledged for the construction of
58 schools.

59 2. A school capital outlay surtax authorized in s.
60 212.055(6). If the school capital outlay surtax is used to meet
61 the conditions of paragraph (a), the amount of the school
62 capital outlay surtax collected must be in excess of the amount
63 in paragraph (a).

64 3. A local bond referendum as authorized in ss. 1010.40-
65 1010.55. Fifty percent of the revenue derived from the 2 mill
66 nonvoted discretionary capital outlay millage for the past 4
67 fiscal years, when divided by the district's growth in capital
68 outlay FTE students over this period, produces a value that is
69 less than the average cost per student station calculated
70 pursuant to s. 1013.72(2), and weighted by statewide growth in
71 capital outlay FTE students in elementary, middle, and high
72 schools for the past 4 fiscal years.

73 (c) The district must have equaled or exceeded three times
74 twice the statewide average of growth in capital outlay FTE
75 students over the prior 3 fiscal years. Growth in any one year
76 must be determined by calculating the increase in students over
77 the prior year this same 4-year period.

78 (d) The district must not have received an appropriation
79 from the special facilities construction program in the current
80 fiscal year or any of the 2 fiscal years prior to the current
81 fiscal year. The Commissioner of Education must have released
82 all funds allocated to the district from the Classrooms First
83 Program authorized in s. 1013.68, and these funds were fully
84 expended by the district as of February 1 of the current fiscal

85 ~~year.~~

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

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

90 (a) Each eligible district school board shall receive an
91 amount from the Public Education Capital Outlay and Debt Service
92 Trust Fund to be calculated by computing the capital outlay
93 full-time equivalent membership as determined by the Department
94 of Education. Such membership must include, but is not limited
95 to, kindergarten through 12th grade students, except hospital
96 and homebound part-time students, students who are career
97 education students, and adult disabled students who are enrolled
98 in school district career centers. ~~For each eligible district,~~
99 ~~the Department of Education shall calculate the value of 50~~
100 ~~percent of the revenue derived from the 2-mill nonvoted~~
101 ~~discretionary capital outlay millage for the past 4 fiscal years~~
102 ~~divided by the increase in capital outlay FTE students for the~~
103 ~~same period.~~

104 (b) The capital outlay full-time equivalent membership
105 shall be determined for kindergarten through the 12th grade and
106 for career centers by averaging the unweighted full-time
107 equivalent student membership for the second and third surveys
108 and comparing the results on a school-by-school basis with the
109 Florida Inventory for School Houses. The capital outlay full-
110 time equivalent membership by grade level organization shall be
111 used in making the following calculation: the capital outlay
112 full-time equivalent membership by grade-level organization for

113 the prior year must be used to compute the growth over the
114 highest of the 3 years preceding the prior year. The Department
115 of Education shall determine, for each eligible district, the
116 amount that must be added to the value calculated pursuant to
117 paragraph (a) to produce the weighted average value per student
118 station calculated pursuant to paragraph (2) (b).

119 (c) The total amount appropriated by the Legislature
120 pursuant to this subsection shall be allocated among the growth
121 capital outlay full-time equivalent membership. The allocation
122 shall be prorated to the districts based upon each district's
123 percentage of growth capital outlay full-time membership. The
124 most recent 4-year capital outlay full-time equivalent
125 membership data shall be used in each subsequent year's
126 calculation for the allocation of funds pursuant to this
127 subsection. The value calculated for each eligible district
128 pursuant to paragraph (b) shall be multiplied by the average
129 increase in capital outlay FTE students for the past 4 fiscal
130 years to determine the maximum amount of a grant that may be
131 awarded to a district pursuant to this section.

132 (d) If a change, correction, or recomputation of data
133 during any year results in a reduction or increase of the
134 calculated amount previously allocated to a district, the
135 allocation to that district shall be adjusted correspondingly.
136 If such recomputation results in an increase or decrease of the
137 calculated amount, such additional or reduced amounts shall be
138 added to or reduced from the district's future appropriations.
139 However, no change, correction, or recomputation of data shall
140 be made subsequent to 2 years following the initial annual

HB 645

2007

141 allocation. ~~In the event the funds provided in the General~~
142 ~~Appropriations Act are insufficient to fully fund the maximum~~
143 ~~grants calculated pursuant to paragraph (c), the Department of~~
144 ~~Education shall allocate the funds based on each district's~~
145 ~~prorated share of the total maximum award amount calculated for~~
146 ~~all eligible districts.~~

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