

Bill No. SB 680

Barcode 374374

CHAMBER ACTION

Senate

House

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The Committee on Finance and Tax (Atwater) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsections (2) and (3) of section 1013.738, Florida Statutes, are amended to read:

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

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

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

1 fiscal years.

2 (b) The district must have received in the prior
3 fiscal year revenue from the collection of an impact fee
4 specifically for schools and revenue from the collection of
5 one of the following:

6 1. A local government infrastructure sales surtax
7 authorized in s. 212.055(2) in which a portion is dedicated
8 for the construction of schools in such prior fiscal year, or
9 for satisfaction of debt service pledged for the construction
10 of schools.

11 2. A school capital outlay surtax authorized in s.
12 212.055(6). If the school capital outlay surtax is used to
13 meet the conditions of paragraph (a), the amount of the school
14 capital outlay surtax collected must be in excess of the
15 amount in paragraph (a).

16 3. A local bond referendum as authorized in ss.
17 1010.40-1010.55.

18 ~~(b) Fifty percent of the revenue derived from the~~
19 ~~2-mill nonvoted discretionary capital outlay millage for the~~
20 ~~past 4 fiscal years, when divided by the district's growth in~~
21 ~~capital outlay FTE students over this period, produces a value~~
22 ~~that is less than the average cost per student station~~
23 ~~calculated pursuant to s. 1013.72(2), and weighted by~~
24 ~~statewide growth in capital outlay FTE students in elementary,~~
25 ~~middle, and high schools for the past 4 fiscal years.~~

26 (c) The district must have equaled or exceeded three
27 times ~~twice~~ the statewide average of growth in capital outlay
28 FTE students over the prior 3 fiscal years. Growth in any one
29 year must be determined by calculating the increase in
30 students over the prior year ~~this same 4-year period.~~

31 (d) The district must not have received an

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1 appropriation from the special facilities construction program
 2 in the current fiscal year or any of the 2 fiscal years prior
 3 to the current fiscal year. The Commissioner of Education must
 4 have released all funds allocated to the district from the
 5 Classrooms First Program authorized in s. 1013.68, and these
 6 funds were fully expended by the district as of February 1 of
 7 the current fiscal year.

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

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

12 (a) Each eligible district school board shall receive
 13 an amount from the Public Education Capital Outlay and Debt
 14 Service Trust Fund to be calculated by computing the capital
 15 outlay full-time equivalent membership as determined by the
 16 Department of Education. Such membership must include, but is
 17 not limited to, kindergarten through 12th grade students,
 18 except hospital and homebound part-time students, students who
 19 are career education students, and adult disabled students who
 20 are enrolled in school district career centers.

21 (b) The capital outlay full-time equivalent membership
 22 shall be determined for kindergarten through the 12th grade
 23 and for career centers by averaging the unweighted full-time
 24 equivalent student membership for the second and third surveys
 25 and comparing the results on a school-by-school basis with the
 26 Florida Inventory for School Houses. The capital outlay
 27 full-time equivalent membership by grade level organization
 28 shall be used in making the following calculation: the capital
 29 outlay full-time equivalent membership by grade-level
 30 organization for the prior year must be used to compute the
 31 growth over the highest of the 3 years preceding the prior

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1 year.

2 (c) The total amount appropriated by the Legislature
3 pursuant to this subsection shall be allocated among the
4 growth capital outlay full-time equivalent membership. The
5 allocation shall be prorated to the districts based upon each
6 district's percentage of growth capital outlay full-time
7 membership. The most recent 4-year capital outlay full-time
8 equivalent membership data shall be used in each subsequent
9 year's calculation for the allocation of funds pursuant to
10 this subsection.

11 (d) If a change, correction, or recomputation of data
12 during any year results in a reduction or increase of the
13 calculated amount previously allocated to a district, the
14 allocation to that district shall be adjusted correspondingly.
15 If such recomputation results in an increase or decrease of
16 the calculated amount, such additional or reduced amounts
17 shall be added to or reduced from the district's future
18 appropriations. However, no change, correction, or
19 recomputation of data shall be made subsequent to 2 years
20 following the initial annual allocation.

21 ~~(a) For each eligible district, the Department of~~
22 ~~Education shall calculate the value of 50 percent of the~~
23 ~~revenue derived from the 2 mill nonvoted discretionary capital~~
24 ~~outlay millage for the past 4 fiscal years divided by the~~
25 ~~increase in capital outlay FTE students for the same period.~~

26 ~~(b) The Department of Education shall determine, for~~
27 ~~each eligible district, the amount that must be added to the~~
28 ~~value calculated pursuant to paragraph (a) to produce the~~
29 ~~weighted average value per student station calculated pursuant~~
30 ~~to paragraph (2)(b).~~

31 ~~(c) The value calculated for each eligible district~~

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1 ~~pursuant to paragraph (b) shall be multiplied by the average~~
2 ~~increase in capital outlay FTE students for the past 4 fiscal~~
3 ~~years to determine the maximum amount of a grant that may be~~
4 ~~awarded to a district pursuant to this section.~~

5 ~~(d) In the event the funds provided in the General~~
6 ~~Appropriations Act are insufficient to fully fund the maximum~~
7 ~~grants calculated pursuant to paragraph (c), the Department of~~
8 ~~Education shall allocate the funds based on each district's~~
9 ~~prorated share of the total maximum award amount calculated~~
10 ~~for all eligible districts.~~

11 Section 2. The sum of \$30 million is appropriated for
12 the 2007-2008 fiscal year from nonrecurring funds and
13 transferred pursuant to chapter 2005-290, Laws of Florida, to
14 the Public Education Capital Outlay and Debt Service Trust
15 Fund in the Department of Education for the High Growth County
16 District Capital Outlay Assistance Grant Program established
17 in s. 1013.738, Florida Statutes.

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

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

23 And the title is amended as follows:

24 Delete everything before the enacting clause

25

26 and insert:

27 A bill to be entitled
28 An act relating to growth management; amending
29 s. 1013.738, F.S.; revising the eligibility
30 criteria for the High Growth District Capital
31 Outlay Assistance Grant Program; revising

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1 provisions for allocating funds provided by the
2 General Appropriations Act to the Public
3 Education Capital Outlay and Debt Service Trust
4 Fund; providing an appropriation; providing an
5 effective date.

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