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SB 680

 ${\bf By}$ Senators Dockery, Baker, Haridopolos, Argenziano, Bennett, Webster and Fasano

15-122A-07 1 A bill to be entitled 2 An act relating to growth management; amending s. 1013.65, F.S.; revising the sum appropriated 3 for the Classrooms for Kids Program; amending 4 5 s. 1013.738, F.S.; revising the eligibility б criteria for the High Growth District Capital 7 Outlay Assistance Grant Program; revising 8 provisions for allocating funds provided by the 9 General Appropriations Act to the Public Education Capital Outlay and Debt Service Trust 10 Fund; providing an effective date. 11 12 13 Be It Enacted by the Legislature of the State of Florida: 14 Section 1. Paragraph (a) of subsection (2) of section 15 1013.65, Florida Statutes, is amended to read: 16 17 1013.65 Educational and ancillary plant construction 18 funds; Public Education Capital Outlay and Debt Service Trust Fund; allocation of funds. --19 (2)(a) The Public Education Capital Outlay and Debt 20 Service Trust Fund shall be comprised of the following 21 22 sources, which are hereby appropriated to the trust fund: 23 1. Proceeds, premiums, and accrued interest from the sale of public education bonds and that portion of the 2.4 revenues accruing from the gross receipts tax as provided by 25 s. 9(a)(2), Art. XII of the State Constitution, as amended, 26 27 interest on investments, and federal interest subsidies. 2.8 2. General revenue funds appropriated to the fund for 29 educational capital outlay purposes. 3. All capital outlay funds previously appropriated 30 and certified forward pursuant to s. 216.301. 31

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1 4.a. Funds paid pursuant to s. 201.15(1)(d). 2 b. The sum of \$75, 41.75 million of such funds shall be appropriated annually for expenditure to fund the 3 Classrooms for Kids Program created in s. 1013.735 and shall 4 be distributed as provided by that section. 5 б Section 2. Subsections (2) and (3) of section 7 1013.738, Florida Statutes, are amended to read: 8 1013.738 High Growth District Capital Outlay 9 Assistance Grant Program. --10 (2) In order to qualify for a grant, a school district must meet the following criteria: 11 12 (a) The district must have levied the full 2 mills of 13 nonvoted discretionary capital outlay millage authorized in s. 1011.71(2) for each of the past <u>3</u> 4 fiscal years or receive an 14 amount from the school capital outlay surtax authorized in s. 15 212.055(6) which, when added to the nonvoted discretionary 16 17 capital outlay millage collected, equals the amount that would 18 be generated if the full 2 mills of nonvoted discretionary capital outlay millage had been collected over the past 3 19 fiscal years. 20 21 (b) The district must have received in the prior 22 fiscal year revenue from the collection of an impact fee 23 specifically for schools and revenue from the collection of 2.4 one of the following: 1. A local government infrastructure sales surtax 25 authorized in s. 212.055(2) in which a portion is dedicated 26 27 for the construction of schools in such prior fiscal year, or 2.8 for satisfaction of debt service pledged for the construction 29 of schools. 30 2. A school capital outlay surtax authorized in s. 212.055(6). If the school capital outlay surtax is used to 31

1 meet the conditions of paragraph (a), the amount of the school capital outlay surtax collected must be in excess of the 2 3 amount in paragraph (a). 4 3. A local bond referendum as authorized in ss. 1010.40-1010.55. 5 б (b) Fifty percent of the revenue derived from the 7 2 mill nonvoted discretionary capital outlay millage for the 8 past 4 fiscal years, when divided by the district's growth in 9 capital outlay FTE students over this period, produces a value that is less than the average cost per student station 10 calculated pursuant to s. 1013.72(2), and weighted by 11 12 statewide growth in capital outlay FTE students in elementary, 13 middle, and high schools for the past 4 fiscal years. (c) The district must have equaled or exceeded three 14 times twice the statewide average of growth in capital outlay 15 FTE students over the prior 3 fiscal years. Growth in any one 16 17 year must be determined by calculating the increase in 18 students over the prior year this same 4 year period. 19 (d) The district must not have received an appropriation from the special facilities construction program 20 21 in the current fiscal year or any of the 2 fiscal years prior to the current fiscal year. The Commissioner of Education must 2.2 23 have released all funds allocated to the district from the Classrooms First Program authorized in s. 1013.68, and these 2.4 25 funds were fully expended by the district as of February 1 26 the current fiscal year. 27 (e) The total capital outlay FTE students of the 2.8 district is greater than 15,000 students. 29 (3) The funds provided in the General Appropriations 30 Act shall be allocated pursuant to the following methodology: 31

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1	(a) Each eligible district school board shall receive
2	an amount from the Public Education Capital Outlay and Debt
3	Service Trust Fund to be calculated by computing the capital
4	outlay full-time equivalent membership as determined by the
5	Department of Education. Such membership must include, but is
6	not limited to, kindergarten through 12th grade students,
7	except hospital and homebound part-time students, students who
8	are career education students, and adult disabled students who
9	are enrolled in school district career centers.
10	(b) The capital outlay full-time equivalent membership
11	shall be determined for kindergarten through the 12th grade
12	and for career centers by averaging the unweighted full-time
13	equivalent student membership for the second and third surveys
14	and comparing the results on a school-by-school basis with the
15	Florida Inventory for School Houses. The capital outlay
16	full-time equivalent membership by grade level organization
17	shall be used in making the following calculation: the capital
18	outlay full-time equivalent membership by grade-level
19	organization for the prior year must be used to compute the
20	growth over the highest of the 3 years preceding the prior
21	year.
22	(c) The total amount appropriated by the Legislature
23	pursuant to this subsection shall be allocated among the
24	growth capital outlay full-time equivalent membership. The
25	allocation shall be prorated to the districts based upon each
26	district's percentage of growth capital outlay full-time
27	membership. The most recent 4-year capital outlay full-time
28	equivalent membership data shall be used in each subsequent
29	year's calculation for the allocation of funds pursuant to
30	this subsection.
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1 (d) If a change, correction, or recomputation of data 2 during any year results in a reduction or increase of the 3 calculated amount previously allocated to a district, the 4 allocation to that district shall be adjusted correspondingly. 5 If such recomputation results in an increase or decrease of 6 the calculated amount, such additional or reduced amounts 7 shall be added to or reduced from the district's future 8 appropriations. However, no change, correction, or recomputation of data shall be made subsequent to 2 years 9 10 following the initial annual allocation. (a) For each eligible district, the Department of 11 12 Education shall calculate the value of 50 percent of the 13 revenue derived from the 2 mill nonvoted discretionary capital outlay millage for the past 4 fiscal years divided by the 14 increase in capital outlay FTE students for the same period. 15 (b) The Department of Education shall determine, for 16 17 each eligible district, the amount that must be added to the 18 value calculated pursuant to paragraph (a) to produce the weighted average value per student station calculated pursuant 19 2.0 to paragraph (2)(b). 21 (c) The value calculated for each eligible district 2.2 pursuant to paragraph (b) shall be multiplied by the average 23 increase in capital outlay FTE students for the past 4 fiscal 2.4 years to determine the maximum amount of a grant that may be 25 awarded to a district pursuant to this section. 26 (d) In the event the funds provided in the General 27 Appropriations Act are insufficient to fully fund the maximum 2.8 grants calculated pursuant to paragraph (c), the Department of Education shall allocate the funds based on each district's 29 prorated share of the total maximum award amount calculated 30 for all eligible districts. 31

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Section 3. This act shall take effect upon becoming a law. SENATE SUMMARY Revises the sum appropriated for the Classrooms for Kids Program. Revises the eligibility criteria for the High Growth District Capital Outlay Assistance Grant Program. Revises provisions for allocation of funds provided by the General Appropriations Act to the Public Education Capital Outlay and Debt Service Trust Fund.

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