

By the Committee on Finance and Tax; and Senators Dockery, Baker, Haridopolos, Argenziano, Bennett, Webster, Fasano and Siplin

593-2443-07

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

A bill to be entitled

An act relating to growth management; amending s. 1013.738, F.S.; revising the eligibility criteria for the High Growth District Capital Outlay Assistance Grant Program; revising provisions for allocating funds provided by the General Appropriations Act to the Public Education Capital Outlay and Debt Service Trust Fund; providing an appropriation; providing an effective date.

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

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 fiscal years.

(b) The district must have received in the prior fiscal year revenue from the collection of an impact fee

1 specifically for schools and revenue from the collection of  
2 one of the following:

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

8 2. A school capital outlay surtax authorized in s.  
9 212.055(6). If the school capital outlay surtax is used to  
10 meet the conditions of paragraph (a), the amount of the school  
11 capital outlay surtax collected must be in excess of the  
12 amount in paragraph (a).

13 3. A local bond referendum as authorized in ss.  
14 1010.40-1010.55.

15 ~~(b) Fifty percent of the revenue derived from the~~  
16 ~~2 mill nonvoted discretionary capital outlay millage for the~~  
17 ~~past 4 fiscal years, when divided by the district's growth in~~  
18 ~~capital outlay FTE students over this period, produces a value~~  
19 ~~that is less than the average cost per student station~~  
20 ~~calculated pursuant to s. 1013.72(2), and weighted by~~  
21 ~~statewide growth in capital outlay FTE students in elementary,~~  
22 ~~middle, and high schools for the past 4 fiscal years.~~

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

28 (d) The district must not have received an  
29 appropriation from the special facilities construction program  
30 in the current fiscal year or any of the 2 fiscal years prior  
31 to the current fiscal year. The Commissioner of Education must

1 ~~have released all funds allocated to the district from the~~  
2 ~~Classrooms First Program authorized in s. 1013.68, and these~~  
3 ~~funds were fully expended by the district as of February 1 of~~  
4 ~~the current fiscal year.~~

5 ~~(c) The total capital outlay FTE students of the~~  
6 ~~district is greater than 15,000 students.~~

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

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

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

30 (c) The total amount appropriated by the Legislature  
31 pursuant to this subsection shall be allocated among the

1 growth capital outlay full-time equivalent membership. The  
2 allocation shall be prorated to the districts based upon each  
3 district's percentage of growth capital outlay full-time  
4 membership. The most recent 4-year capital outlay full-time  
5 equivalent membership data shall be used in each subsequent  
6 year's calculation for the allocation of funds pursuant to  
7 this subsection.

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

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

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

28 ~~(c) The value calculated for each eligible district~~  
29 ~~pursuant to paragraph (b) shall be multiplied by the average~~  
30 ~~increase in capital outlay FTE students for the past 4 fiscal~~  
31

1 ~~years to determine the maximum amount of a grant that may be~~  
2 ~~awarded to a district pursuant to this section.~~

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

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

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

18  
19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
20 COMMITTEE SUBSTITUTE FOR  
21 SB 680

22 The Committee Substitute made the following changes to SB 680:

- 23 1) Removed the \$33.25 million increase in the annual  
24 appropriation for the Classroom for Kids Program as  
25 provided for in s. 1013.65, F.S.  
26 2) Appropriates \$30 million from non recurring funds in  
27 2007-08 to the Public Education Capital Outlay and Debt  
28 Service Trust Fund for the High Growth County District  
29 Capital Outlay Assistance Grant Program.  
30  
31