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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 meet one of the following  
2 criteria:

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

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

13 3. Have received revenue from a local bond referendum  
14 as authorized in ss. 1010.40-1010.55.

15 4. Have paid debt service in the prior fiscal year for  
16 a local bond referendum as authorized in ss. 1010.40-1010.55.

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

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

30 (d) The district must not have received an  
31 appropriation from the special facilities construction program

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

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

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

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

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

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

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

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

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

30       ~~(c) The value calculated for each eligible district~~  
31 ~~pursuant to paragraph (b) shall be multiplied by the average~~

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

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

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

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

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