

By Senator Wilson

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1 A bill to be entitled
2 An act relating to the allocation and expenditure of
3 state lottery revenues; amending s. 24.121, F.S.;
4 requiring a portion of Powerball net revenues to be
5 allocated to voluntary prekindergarten education
6 programs; providing for the use of funds; providing an
7 effective date.

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

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11 Section 1. Subsection (5) of section 24.121, Florida
12 Statutes, is amended to read:

13 24.121 Allocation of revenues and expenditure of funds for
14 public education.—

15 (5) (a) Public educational programs and purposes funded by
16 the Educational Enhancement Trust Fund may include, but are not
17 limited to, endowment, scholarship, matching funds, direct
18 grants, research and economic development related to education,
19 salary enhancement, contracts with independent institutions to
20 conduct programs consistent with the state master plan for
21 postsecondary education, or any other educational program or
22 purpose deemed desirable by the Legislature. Prior to the
23 expenditure of these funds, each school district shall establish
24 policies and procedures that define enhancement and the types of
25 expenditures consistent with that definition.

26 (b) Except as provided in paragraphs (c), (d), ~~and~~ (e), and
27 (f), the Legislature shall equitably apportion moneys in the
28 trust fund among public schools, community colleges, and
29 universities.

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30 (c) A portion of such net revenues, as determined annually
31 by the Legislature, shall be distributed to each school district
32 and shall be made available to each public school in the
33 district for enhancing school performance through development
34 and implementation of a school improvement plan pursuant to s.
35 1001.42(18). A portion of these moneys, as determined annually
36 in the General Appropriations Act, must be allocated to each
37 school in an equal amount for each student enrolled. These
38 moneys may be expended only on programs or projects selected by
39 the school advisory council or by a parent advisory committee
40 created pursuant to this paragraph. If a school does not have a
41 school advisory council, the district advisory council must
42 appoint a parent advisory committee composed of parents of
43 students enrolled in that school, which is representative of the
44 ethnic, racial, and economic community served by the school, to
45 advise the school's principal on the programs or projects to be
46 funded. Neither school district staff nor principals may
47 override the recommendations of the school advisory council or
48 the parent advisory committee. These moneys may not be used for
49 capital improvements or for any project or program that has a
50 duration of more than 1 year; however, a school advisory council
51 or parent advisory committee may independently determine that a
52 program or project formerly funded under this paragraph should
53 receive funds in a subsequent year.

54 (d) No funds shall be released for any purpose from the
55 Educational Enhancement Trust Fund to any school district in
56 which one or more schools do not have an approved school
57 improvement plan pursuant to s. 1001.42(18) or do not comply
58 with school advisory council membership composition requirements

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59 pursuant to s. 1001.452(1). The Commissioner of Education shall
60 withhold disbursements from the trust fund to any school
61 district that fails to adopt the performance-based salary
62 schedule required by s. 1012.22(1).

63 (e) All components of the Florida Bright Futures
64 Scholarship Program shall be funded annually from the
65 Educational Enhancement Trust Fund. Funds shall be allocated to
66 this program prior to application of the formula for equitable
67 distribution to public schools, community colleges, and state
68 universities. If shortages require reductions in estimated
69 distributions from the Educational Enhancement Trust Fund, funds
70 for the Florida Bright Futures Scholarship Program shall be
71 reduced only after reductions in all other distributions are
72 made.

73 (f) A portion of Powerball net revenues, as determined
74 annually by the Legislature, shall be distributed to enhance
75 voluntary prekindergarten education programs. Such funds shall
76 be allocated to each voluntary prekindergarten education program
77 in an equal amount for each student enrolled. Such funds must be
78 used for direct classroom expenditures and may not be used for
79 administrative costs.

80 (g) ~~(f)~~ Each school district shall, on a quarterly basis,
81 make available to the public and distribute, in an easy to
82 understand format, the expenditures of lottery funds allocated
83 to the school district.

84 Section 2. This act shall take effect July 1, 2009.