

HB 1469

2011

1 A bill to be entitled
2 An act relating to educational enhancement funding;
3 amending ss. 1010.70 and 1013.71, F.S.; revising
4 provisions relating to the Educational Enhancement Trust
5 Fund and the Lottery Capital Outlay and Debt Service Trust
6 Fund to provide for the redirection for classroom use and
7 operations of a portion of the lottery funds appropriated
8 each fiscal year for capital outlay and debt service;
9 providing an effective date.

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

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13 Section 1. Section 1010.70, Florida Statutes, is amended
14 to read:

15 1010.70 Educational Enhancement Trust Fund.—Each fiscal
16 year, variable percentages of the gross revenue from the sale of
17 online and instant lottery tickets as determined by the
18 department, and other earned revenue, excluding application
19 processing fees, shall be deposited in the Educational
20 Enhancement Trust Fund as provided in s. 24.121. Notwithstanding
21 any other provision of law to the contrary and beginning with
22 the 2011-2012 fiscal year, 25 percent of the lottery funds
23 deposited under this section each fiscal year and appropriated
24 for fixed capital outlay and debt service shall be redirected to
25 classroom use and operations. Funds redirected to classroom use
26 and operations shall not substitute general funds previously
27 allocated for classroom purposes.

28 Section 2. Section 1013.71, Florida Statutes, is amended

29 to read:

30 1013.71 Lottery Capital Outlay and Debt Service Trust
31 Fund.—

32 (1) (a) The Lottery Capital Outlay and Debt Service Trust
33 Fund is hereby created, to be administered by the Department of
34 Education. Funds shall be credited to the trust fund from
35 legislative appropriations and interest earnings. The purpose of
36 the trust fund is to maintain and account for lottery funds
37 appropriated for fixed capital outlay and debt service
38 separately from lottery funds appropriated for current
39 operations.

40 (b) Notwithstanding the provisions of s. 216.301 and
41 pursuant to s. 216.351, any balance in the trust fund at the end
42 of any fiscal year shall remain in the trust fund and shall be
43 available for carrying out the purposes of the trust fund.

44 (2) Lottery funds appropriated for fixed capital outlay
45 and debt service, along with any interest earned thereon, shall
46 be transferred from the Educational Enhancement Trust Fund to
47 the Lottery Capital Outlay and Debt Service Trust Fund.

48 (3) Pursuant to the provisions of s. 19(f)(3), Art. III of
49 the State Constitution, the trust fund is not subject to
50 termination under s. 19(f)(2), Art. III of the State
51 Constitution.

52 (4) Notwithstanding any other provision of law to the
53 contrary and beginning with the 2011-2012 fiscal year, 25
54 percent of the lottery funds designated for capital outlay
55 purposes under this section each fiscal year shall be redirected
56 to classroom use and operations. Funds redirected to classroom

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57 use and operations shall not substitute general funds previously
58 allocated for classroom purposes.

59 Section 3. This act shall take effect July 1, 2011.