

By Senator Braynon

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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
5 Trust Fund and the Lottery Capital Outlay and Debt
6 Service Trust Fund to provide for the redirection for
7 classroom use and operations of a portion of the
8 lottery funds appropriated each fiscal year for
9 capital outlay and debt service; providing an
10 effective date.

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

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

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

29 Section 2. Section 1013.71, Florida Statutes, is amended to

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30 read:

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

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

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

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

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

53 (4) Notwithstanding any other provision of law to the
54 contrary and beginning with the 2011-2012 fiscal year, 25
55 percent of the lottery funds designated for capital outlay
56 purposes under this section each fiscal year shall be redirected
57 to classroom use and operations. Funds redirected to classroom
58 use and operations shall not substitute general funds previously

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59 allocated for classroom purposes.

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