

HB 33

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

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

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

12           24.121 Allocation of revenues and expenditure of funds for  
13           public education.—

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

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

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

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

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

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

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

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

83 Section 2. This act shall take effect October 1, 2011.