

HB 35

2012

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),  
27           and (f), the Legislature shall equitably apportion moneys in the

28 | trust fund among public schools, community colleges, and  
29 | universities.

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  
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.

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Section 2. This act shall take effect October 1, 2012.