



193984

LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Gibson) recommended the following:

1 **Senate Amendment to Amendment (450044) (with directory and**
2 **title amendments)**

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4 Between lines 2724 and 2725
5 insert:

6 (c) The Legislature intends that the public interest be
7 protected by preventing the financial enrichment of owners,
8 operators, managers, and other affiliated parties of charter
9 schools receiving capital outlay funding. Therefore, a charter
10 school additionally is not eligible for a funding allocation



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11 unless the chair of the governing board and the chief
12 administrative officer of the charter school annually certify
13 under oath that the funds will be used solely and exclusively
14 for constructing, renovating, or improving charter school
15 facilities that are:

16 1. Owned by a school district, a political subdivision of
17 the state, a municipality, a Florida College System institution,
18 or a state university;

19 2. Owned by an organization qualified as an exempt
20 organization under s. 501(c)(3) of the Internal Revenue Code
21 whose articles of incorporation specify that upon the
22 organization's dissolution, the subject property will be
23 transferred to a school district, a political subdivision of the
24 state, a municipality, a Florida College System institution, or
25 a state university; or

26 3. Owned by and leased from, at a fair market value in the
27 school district in which the charter school is located, a person
28 or entity that is not an affiliated party of the charter school.
29 For purposes of this subparagraph, the term "affiliated party of
30 the charter school" means the applicant for the charter school
31 pursuant to s. 1002.33; the governing board of the charter
32 school or a member of the governing board; the charter school
33 owner; the charter school principal; an employee of the charter
34 school; an independent contractor of the charter school or the
35 governing board of the charter school; or a relative, as defined
36 in s. 1002.33(24)(a)2., of a charter school governing board
37 member, a charter school owner, a charter school principal, a
38 charter school employee, or an independent contractor of a
39 charter school or charter school governing board; a subsidiary



40 corporation, a service corporation, an affiliated corporation, a
41 parent corporation, a limited liability company, a limited
42 partnership, a trust, a partnership, or a related party that,
43 individually or through one or more entities, shares common
44 ownership or control and directly or indirectly manages,
45 administers, controls, or oversees the operation of the charter
46 school; or any person or entity, individually or through one or
47 more entities that share common ownership, which directly or
48 indirectly manages, administers, controls, or oversees the
49 operation of any of the foregoing.

50
51 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

52 And the directory clause is amended as follows:

53 Delete lines 2697 - 2698

54 and insert:

55 Section 29. Paragraph (a) is amended and paragraph (c) is
56 added to subsection (7) of section 1012.34, Florida Statutes, to
57 read:

58
59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete line 3281

62 and insert:

63 as measured by a certain formula; below a certain
64 level; requiring the chair of the governing board and
65 the chief administrative officer of a charter school
66 to certify that funds will be used in a specified way;
67 defining the term "affiliated party of the charter
68 school"; amending s.