

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Santiago offered the following:

2
3 **Amendment to Amendment (090379) (with directory and title**
4 **amendments)**

5 Between lines 238 and 239 of the amendment, insert:

6 (j)1. May use eligible contributions received pursuant to
7 this section and ss. 212.099, 212.1832, and 1002.40 during the
8 state fiscal year in which such contributions are collected for
9 administrative expenses if the organization has operated as an
10 eligible nonprofit scholarship-funding organization for at least
11 the preceding 3 fiscal years and did not have any findings of
12 material weakness or material noncompliance in its most recent
13 audit under paragraph (m). Administrative expenses from eligible

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14 contributions may not exceed 3 percent of the total amount of
15 all scholarships awarded by an eligible scholarship-funding
16 organization under this chapter. Such administrative expenses
17 must be reasonable and necessary for the organization's
18 management and distribution of scholarships awarded under this
19 chapter. No funds authorized under this subparagraph shall be
20 used for lobbying or political activity or expenses related to
21 lobbying or political activity. Up to one-third of the funds
22 authorized for administrative expenses under this subparagraph
23 may be used for expenses related to the recruitment of
24 contributions from taxpayers. An eligible nonprofit scholarship-
25 funding organization may not charge an application fee.

26 2. Must expend for annual or partial-year scholarships an
27 amount equal to or greater than 75 percent of the net eligible
28 contributions remaining after administrative expenses during the
29 state fiscal year in which such contributions are collected. No
30 more than 25 percent of such net eligible contributions may be
31 carried forward to the following state fiscal year. All amounts
32 carried forward, for audit purposes, must be specifically
33 identified for particular students, by student name and the name
34 of the school to which the student is admitted, subject to the
35 requirements of ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g,
36 and the applicable rules and regulations issued pursuant
37 thereto. Any amounts carried forward shall be expended for
38 annual or partial-year scholarships in the following state

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39 fiscal year. No later than September 30 of each year, net
 40 eligible contributions remaining on June 30 of each year that
 41 are in excess of the 25 percent that may be carried forward
 42 shall be used to provide scholarships to eligible students or
 43 transferred to other eligible nonprofit scholarship-funding
 44 organizations to provide scholarships for eligible students. All
 45 transferred funds must be deposited by each eligible nonprofit
 46 scholarship-funding organization receiving such funds into its
 47 scholarship account. All transferred amounts received by any
 48 eligible nonprofit scholarship-funding organization must be
 49 separately disclosed in the annual financial audit required
 50 under paragraph (m).

51 3. Must, before granting a scholarship for an academic
 52 year, document each scholarship student's eligibility for that
 53 academic year. A scholarship-funding organization may ~~not~~ grant
 54 multiyear scholarships in one approval process.

56 Information and documentation provided to the Department of
 57 Education and the Auditor General relating to the identity of a
 58 taxpayer that provides an eligible contribution under this
 59 section shall remain confidential at all times in accordance
 60 with s. 213.053.

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D I R E C T O R Y A M E N D M E N T

Remove line 173 of the amendment and insert:

Section 2. Subsection (3) and paragraphs (e), (f), and (j)
of

T I T L E A M E N D M E N T

Remove line 393 of the amendment and insert:

scholarship-funding organization; authorizing eligible nonprofit
scholarship-funding organizations to grant multiyear
scholarships in one approval process; amending s. 1002.40,

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