

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Canady offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (c) of subsection (6) of section
 7 212.055, Florida Statutes, is amended to read:

8 212.055 Discretionary sales surtaxes; legislative intent;
 9 authorization and use of proceeds.—It is the legislative intent
 10 that any authorization for imposition of a discretionary sales
 11 surtax shall be published in the Florida Statutes as a
 12 subsection of this section, irrespective of the duration of the
 13 levy. Each enactment shall specify the types of counties
 14 authorized to levy; the rate or rates which may be imposed; the
 15 maximum length of time the surtax may be imposed, if any; the
 16 procedure which must be followed to secure voter approval, if

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17 required; the purpose for which the proceeds may be expended;
18 and such other requirements as the Legislature may provide.
19 Taxable transactions and administrative procedures shall be as
20 provided in s. 212.054.

21 (6) SCHOOL CAPITAL OUTLAY SURTAX.—

22 (c) The resolution providing for the imposition of the
23 surtax must set forth a plan for use of the surtax proceeds for
24 fixed capital expenditures or fixed capital costs associated
25 with the construction, reconstruction, or improvement of school
26 facilities and campuses which have a useful life expectancy of 5
27 or more years, and any land acquisition, land improvement,
28 design, and engineering costs related thereto, or any purchase,
29 lease-purchase, lease, or maintenance of school buses, as
30 defined in s. 1006.25, which have a life expectancy of 5 years
31 or more. Additionally, the plan shall include the costs of
32 retrofitting and providing for technology implementation,
33 including hardware and software, for the various sites within
34 the school district. Surtax revenues may be used to service bond
35 indebtedness to finance projects authorized by this subsection,
36 and any interest accrued thereto may be held in trust to finance
37 such projects. Neither the proceeds of the surtax nor any
38 interest accrued thereto shall be used for operational expenses.
39 Surtax revenues shared with charter schools shall be shared
40 based on their proportionate share of total school district
41 capital outlay full-time equivalent enrollment as adopted by the

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42 education estimating conference established in s. 216.136 and
43 expended by the charter school in a manner consistent with the
44 allowable uses set forth in s. 1013.62(4). All revenues and
45 expenditures shall be accounted for in a charter school's
46 monthly or quarterly financial statement pursuant to s.
47 1002.33(9). The eligibility of a charter school to receive funds
48 under this subsection shall be determined in accordance with s.
49 1013.62(1). If a school's charter is not renewed or is
50 terminated and the school is dissolved under the provisions of
51 law under which the school was organized, any unencumbered funds
52 received under this subsection shall revert to the sponsor.

53 Section 2. Section 1004.3841, Florida Statutes, is created
54 to read:

55 1004.3841 The Institute for Risk Management and Insurance
56 Education.—The Institute for Risk Management and Insurance
57 Education is established within the College of Business at the
58 University of Central Florida. Since insurance and risk
59 management is a major industry in the state, with a
60 concentration of such industry in Volusia County, the institute
61 shall be located in Volusia County. Like many other industries
62 in the state, the insurance and risk management industry is
63 being revolutionized by, among other things, the integration of
64 technology, predictive analytics, and data science, and is
65 becoming more complex given its exposure to transformative
66 trends in the economy and environment. The purpose of the

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67 institute is to respond to the ever-evolving insurance and risk
68 management industry and the present and emerging needs of the
69 state and its residents. The goals of the institute are to:

70 (1) Pursue technological innovations that advance risk
71 valuation models and operational efficiencies in the insurance
72 industry.

73 (2) Drive the development of workforce competencies in
74 data analytics, system-level thinking, technology integration,
75 entrepreneurship, and actuarial science.

76 (3) Leverage the University of Central Florida's world
77 class assets in data science, artificial intelligence, computer
78 science, engineering, finance, economics, and sales.

79 (4) Take advantage of the University of Central Florida's
80 robust portfolio of academic program offerings and draw on
81 faculty and industry experts in diverse fields, including
82 actuarial science, computer science, economics, engineering,
83 environmental science, finance, forensics, law, management,
84 marketing, and psychology.

85 (5) Develop and offer risk management and insurance
86 education, including education that recognizes risks in areas
87 such as the environment, pandemic disease, and digital security.

88 (6) Offer programs, workshops, case studies, and applied
89 research studies that integrate technology and artificial
90 intelligence with soft skills while preparing students and

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91 professionals for the technology-enabled insurance industry of
92 the future.

93 Section 3. Subsections (1), (2), and (3) of section
94 1013.62, Florida Statutes, are amended to read:

95 1013.62 Charter schools capital outlay funding.—

96 (1) ~~For the 2022-2023 fiscal year, charter school capital~~
97 ~~outlay funding shall consist of state funds appropriated in the~~
98 ~~2022-2023 General Appropriations Act. Beginning in fiscal year~~
99 ~~2023-2024, Charter school capital outlay funding shall consist~~
100 ~~of state funds when such funds are appropriated in the General~~
101 ~~Appropriations Act and revenue resulting from the discretionary~~
102 ~~millage authorized in s. 1011.71(2) if the amount of state funds~~
103 ~~appropriated for charter school capital outlay in any fiscal~~
104 ~~year is less than the average charter school capital outlay~~
105 ~~funds per unweighted full-time equivalent student for the 2018-~~
106 ~~2019 fiscal year, multiplied by the estimated number of charter~~
107 ~~school students for the applicable fiscal year, and adjusted by~~
108 ~~changes in the Consumer Price Index issued by the United States~~
109 ~~Department of Labor from the previous fiscal year. Nothing in~~
110 ~~this subsection prohibits a school district from distributing to~~
111 ~~charter schools funds resulting from the discretionary millage~~
112 ~~authorized in s. 1011.71(2).~~

113 (a) To be eligible to receive capital outlay funds, a
114 charter school must:

115 1.a. Have been in operation for 2 or more years;

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- 116 b. Be governed by a governing board established in the
117 state for 2 or more years which operates both charter schools
118 and conversion charter schools within the state;
- 119 c. Be an expanded feeder chain of a charter school within
120 the same school district that is currently receiving charter
121 school capital outlay funds;
- 122 d. Have been accredited by a regional accrediting
123 association as defined by State Board of Education rule;
- 124 e. Serve students in facilities that are provided by a
125 business partner for a charter school-in-the-workplace pursuant
126 to s. 1002.33(15) (b); or
- 127 f. Be operated by a hope operator pursuant to s. 1002.333.
- 128 2. Have an annual audit that does not reveal any of the
129 financial emergency conditions provided in s. 218.503(1) for the
130 most recent fiscal year for which such audit results are
131 available.
- 132 3. Have satisfactory student achievement based on state
133 accountability standards applicable to the charter school.
- 134 4. Have received final approval from its sponsor pursuant
135 to s. 1002.33 for operation during that fiscal year.
- 136 5. Serve students in facilities that are not provided by
137 the charter school's sponsor.
- 138 6. Attest in writing to the department that if the charter
139 school is nonrenewed or terminated, any unencumbered funds and

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140 all equipment and property purchased with public funds shall
141 revert pursuant to subsection (5).

142 (b) A charter school is not eligible to receive capital
143 outlay funds if:

144 1. It was created by the conversion of a public school and
145 operates in facilities provided by the charter school's sponsor
146 for a nominal fee, or at no charge, or if it is directly or
147 indirectly operated by the school district;

148 2. It is a developmental research (laboratory) school that
149 receives state funding for capital improvement purposes pursuant
150 to s. 1002.32(9)(e); or

151 3. A member of the governing board, or his or her spouse,
152 has an interest in or is an employee of the lessor.

153 (2) The department shall use the following calculation
154 methodology to allocate state funds appropriated in the General
155 Appropriations Act to eligible charter schools:

156 ~~(a) Eligible charter schools shall be grouped into~~
157 ~~categories based on their student populations according to the~~
158 ~~following criteria:~~

159 ~~1. Seventy-five percent or greater who are eligible for~~
160 ~~free or reduced-price school meals under the National School~~
161 ~~Lunch Program or, for schools operating programs under the~~
162 ~~Community Eligibility Provision of the Healthy, Hunger-Free Kids~~
163 ~~Act of 2010, an equivalent percentage of the student population~~
164 ~~eligible for free and reduced-price meals as determined by~~

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165 ~~applying the multiplier authorized under the National School~~
166 ~~Lunch Act, 42 U.S.C. s. 1759a(a)(1)(F)(vii), to the number of~~
167 ~~students reported for direct certification.~~

168 ~~2. Twenty-five percent or greater with disabilities as~~
169 ~~defined in state board rule and consistent with the requirements~~
170 ~~of the Individuals with Disabilities Education Act.~~

171 ~~(b) If an eligible charter school does not meet the~~
172 ~~criteria for either category under paragraph (a), its FTE shall~~
173 ~~be provided as the base amount of funding and shall be assigned~~
174 ~~a weight of 1.0. An eligible charter school that meets the~~
175 ~~criteria under subparagraph (a)1. or subparagraph (a)2. shall be~~
176 ~~provided an additional 25 percent above the base funding amount,~~
177 ~~and the total FTE shall be multiplied by a weight of 1.25. An~~
178 ~~eligible charter school that meets the criteria under both~~
179 ~~subparagraphs (a)1. and (a)2. shall be provided an additional 50~~
180 ~~percent above the base funding amount, and the FTE for that~~
181 ~~school shall be multiplied by a weight of 1.5.~~

182 ~~(a)(c)~~ Divide the state appropriation for charter school
183 capital outlay ~~shall be divided~~ by the total ~~weighted~~ FTE for
184 all eligible charter schools to determine the base charter
185 school per ~~weighted~~ FTE allocation amount. The base charter
186 school per ~~weighted~~ FTE allocation amount shall be multiplied by
187 the ~~weighted~~ FTE of each charter school to determine each
188 charter school's capital outlay allocation.

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189 ~~(b)-(d) The department shall calculate the eligible charter~~
190 ~~school funding allocations.~~ Funds shall be allocated using full-
191 time equivalent membership from the second and third enrollment
192 surveys and free and reduced-price school lunch data. The
193 department shall recalculate the allocations periodically based
194 on the receipt of revised information, on a schedule established
195 by the Commissioner of Education.

196 ~~(c)-(e)~~ The department shall distribute capital outlay
197 funds monthly, beginning in the first quarter of the fiscal
198 year, based on one-twelfth of the amount the department
199 reasonably expects the charter school to receive during that
200 fiscal year. The commissioner shall adjust subsequent
201 distributions as necessary to reflect each charter school's
202 recalculated allocation.

203 (3) If the school board levies the discretionary millage
204 authorized in s. 1011.71(2), ~~and the state funds appropriated~~
205 ~~for charter school capital outlay in any fiscal year are less~~
206 ~~than the average charter school capital outlay funds per~~
207 ~~unweighted full-time equivalent student for the 2018-2019 fiscal~~
208 ~~year, multiplied by the estimated number of charter school~~
209 ~~students for the applicable fiscal year, and adjusted by changes~~
210 ~~in the Consumer Price Index issued by the United States~~
211 ~~Department of Labor from the previous fiscal year, the~~
212 department shall use the following calculation methodology to

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213 determine the amount of revenue that a school district must
214 distribute to each eligible charter school:

215 (a) Reduce the total discretionary millage revenue by the
216 school district's annual debt service obligation incurred as of
217 March 1, 2017, which has not been subsequently retired, and any
218 amount of participation requirement pursuant to s.
219 1013.64(2)(a)8. that is being satisfied by revenues raised by
220 the discretionary millage.

221 (b) Divide the school district's adjusted discretionary
222 millage revenue by the district's total capital outlay full-time
223 equivalent membership and the total number of ~~unweighted~~ full-
224 time equivalent students of each eligible charter school to
225 determine a capital outlay allocation per full-time equivalent
226 student.

227 (c) Multiply the capital outlay allocation per full-time
228 equivalent student by the total number of full-time equivalent
229 students of each eligible charter school to determine the
230 capital outlay allocation for each charter school.

231 (d) If applicable, reduce the capital outlay allocation
232 identified in paragraph (c) by the total amount of state funds
233 allocated to each eligible charter school in subsection (2) to
234 determine the maximum calculated capital outlay allocation. The
235 amount of funds a school district must distribute to charter
236 schools shall be as follows:

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237 1. For fiscal year 2023-2024, the amount is 20 percent of
238 the amount calculated under this paragraph.

239 2. For fiscal year 2024-2025, the amount is 40 percent of
240 the amount calculated under this paragraph.

241 3. For fiscal year 2025-2026, the amount is 60 percent of
242 the amount calculated under this paragraph.

243 4. For fiscal year 2026-2027, the amount is 80 percent of
244 the amount calculated under this paragraph.

245 5. For fiscal year 2027-2028, and each fiscal year
246 thereafter, the amount is 100 percent of the amount calculated
247 under this paragraph.

248 (e) School districts shall distribute capital outlay funds
249 to eligible charter schools no later than February 1 of each
250 year, as required by this subsection, based on the amount of
251 funds received by the district school board. School districts
252 shall distribute any remaining capital outlay funds, as required
253 by this subsection, upon the receipt of such funds until the
254 total amount calculated pursuant to this subsection is
255 distributed.

256
257 By October 1 of each year, each school district shall certify to
258 the department the amount of debt service and participation
259 requirement that complies with the requirement of paragraph (a)
260 and can be reduced from the total discretionary millage revenue.
261 The Auditor General shall verify compliance with the

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262 requirements of paragraph (a) and s. 1011.71(2)(e) during
263 scheduled operational audits of school districts.

264 (4) A charter school's governing body may use charter
265 school capital outlay funds for the following purposes:

266 (a) Purchase of real property.

267 (b) Construction of school facilities.

268 (c) Purchase, lease-purchase, or lease of permanent or
269 relocatable school facilities.

270 (d) Purchase of vehicles to transport students to and from
271 the charter school.

272 (e) Renovation, repair, and maintenance of school
273 facilities that the charter school owns or is purchasing through
274 a lease-purchase or long-term lease of 5 years or longer.

275 (f) Payment of the cost of premiums for property and
276 casualty insurance necessary to insure the school facilities.

277 (g) Purchase, lease-purchase, or lease of driver's
278 education vehicles; motor vehicles used for the maintenance or
279 operation of plants and equipment; security vehicles; or
280 vehicles used in storing or distributing materials and
281 equipment.

282 (h) Purchase, lease-purchase, or lease of computer and
283 device hardware and operating system software necessary for
284 gaining access to or enhancing the use of electronic and digital
285 instructional content and resources; and enterprise resource
286 software applications that are classified as capital assets in

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287 accordance with definitions of the Governmental Accounting
288 Standards Board, have a useful life of at least 5 years, and are
289 used to support schoolwide administration or state-mandated
290 reporting requirements. Enterprise resource software may be
291 acquired by annual license fees, maintenance fees, or lease
292 agreement.

293 (i) Payment of the cost of the opening day collection for
294 the library media center of a new school.

295

296 Any purchase, lease-purchase, or lease must be at the appraised
297 value. "Appraised value" is the fair market value to be
298 determined by an independent Florida licensed and qualified
299 appraiser selected by the governing board. Documentation of the
300 appraised value shall be provided upon request of the
301 department.

302 Conversion charter schools may use capital outlay funds received
303 through the reduction in the administrative fee provided in s.
304 1002.33(20) for renovation, repair, and maintenance of school
305 facilities that are owned by the sponsor.

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

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Remove everything before the enacting clause and insert:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1259 (2023)

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312 An act relating to education; amending s. 212.055, F.S.;

313 conforming provisions to changes made by the act; creating s.

314 1004.3841, F.S.; creating the Institute for Risk Management and

315 Insurance Education within the College of Business at the

316 University of Central Florida; requiring the institute to be

317 located in a specified county; providing goals of the institute;

318 amending s. 1013.62, F.S.; deleting obsolete language; making

319 technical changes; revising the calculation methodologies for

320 the distribution of specified funds to eligible charter schools;

321 providing school district requirements for the distribution of

322 capital outlay funds to eligible charter schools; providing an

323 effective date.