

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Bartleman offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove lines 64-278 and insert:

5 Section 2. Subsection (1) of section 1013.62, Florida  
6 Statutes, is amended to read:

7 1013.62 Charter schools capital outlay funding.—

8 (1) (a) ~~For the 2022-2023 fiscal year, charter school~~  
9 ~~capital outlay funding shall consist of state funds appropriated~~  
10 ~~in the 2022-2023 General Appropriations Act.~~ Beginning in fiscal  
11 year 2023-2024, charter school capital outlay funding shall  
12 consist of state funds when such funds are appropriated in the  
13 General Appropriations Act and revenue resulting from the

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14 discretionary millage authorized in s. 1011.71(2). If the school  
15 board levies the discretionary millage authorized in s.  
16 1011.71(2), and the state funds appropriated for charter school  
17 capital outlay in any fiscal year are less than the average  
18 charter school capital outlay funds per unweighted full-time  
19 equivalent student, charter school capital outlay shall be  
20 funded as follows:

21 1. For facilities owned by a public entity, the equivalent  
22 of 100 percent of the per-pupil amount of millage funded from  
23 state funds and capital millage, if applicable.

24 2. For facilities owned by a nonprofit or a charter school  
25 funded by state funds and capital millage, if applicable:

26 a. The equivalent of 100 percent of the per-pupil amount  
27 of millage funded from state funds and capital millage, if  
28 applicable, if the school's average age of square footage ranked  
29 by oldest to newest is in the top one-third percentile.

30 b. The equivalent of 80 percent of the per-pupil amount of  
31 millage funded from state funds and capital millage, if  
32 applicable, if the school's average age of square footage ranked  
33 by oldest to newest is in the two-third percentile.

34 c. The equivalent of 60 percent of the per-pupil amount of  
35 millage funded from state funds and capital millage, if  
36 applicable, if the school's average age of square footage ranked  
37 by oldest to newest is in the lowest one-third percentile.

38 ~~amount of state funds appropriated for charter school capital~~

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39 ~~outlay in any fiscal year is less than the average charter~~  
40 ~~school capital outlay funds per unweighted full-time equivalent~~  
41 ~~student for the 2018-2019 fiscal year, multiplied by the~~  
42 ~~estimated number of charter school students for the applicable~~  
43 ~~fiscal year, and adjusted by changes in the Consumer Price Index~~  
44 ~~issued by the United States Department of Labor from the~~  
45 ~~previous fiscal year. Nothing in this subsection prohibits a~~  
46 ~~school district from distributing to charter schools funds~~  
47 ~~resulting from the discretionary millage authorized in s.~~  
48 ~~1011.71(2).~~

49 (b) ~~(a)~~ To be eligible to receive capital outlay funds, a  
50 charter school must:

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

52 b. Be governed by a governing board established in the  
53 state for 2 or more years which operates both charter schools  
54 and conversion charter schools within the state;

55 c. Be an expanded feeder chain of a charter school within  
56 the same school district that is currently receiving charter  
57 school capital outlay funds;

58 d. Have been accredited by a regional accrediting  
59 association as defined by State Board of Education rule;

60 e. Serve students in facilities that are provided by a  
61 business partner for a charter school-in-the-workplace pursuant  
62 to s. 1002.33(15) (b); or

63 f. Be operated by a hope operator pursuant to s. 1002.333.

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64 2. Have an annual audit that does not reveal any of the  
65 financial emergency conditions provided in s. 218.503(1) for the  
66 most recent fiscal year for which such audit results are  
67 available.

68 3. Have satisfactory student achievement based on state  
69 accountability standards applicable to the charter school.

70 4. Have received final approval from its sponsor pursuant  
71 to s. 1002.33 for operation during that fiscal year.

72 5. Serve students in facilities that are not provided by  
73 the charter school's sponsor.

74 ~~(c)-(b)~~ A charter school is not eligible to receive capital  
75 outlay funds if it was created by the conversion of a public  
76 school and operates in facilities provided by the charter  
77 school's sponsor for a nominal fee, or at no charge, or if it is  
78 directly or indirectly operated by the school district.

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

81 Remove lines 5-12 and insert:  
82 language; making technical changes; revising the  
83 criteria for the distribution of certain funds to  
84 charter schools;  
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