

1                   A bill to be entitled  
2           An act relating to education; amending s. 212.055,  
3           F.S.; conforming provisions to changes made by the  
4           act; amending s. 1001.706, F.S.; requiring the Board  
5           of Governors to develop regulations for university  
6           boards of trustees relating to contracting for the  
7           construction of new facilities or for work on existing  
8           facilities; providing requirements for certain  
9           contracts executed, extended, or amended on or before  
10          a specified date; creating s. 1004.3841, F.S.;  
11          creating the Institute for Risk Management and  
12          Insurance Education within the College of Business at  
13          the University of Central Florida; requiring the  
14          institute to be located in a specified county;  
15          providing goals of the institute; amending s. 1009.26,  
16          F.S.; providing that certain fee waivers apply to  
17          Florida College System institutions in addition to  
18          state universities; authorizing a state university or  
19          Florida College System institution to waive the out-  
20          of-state fee for a student who is an intercollegiate  
21          athlete receiving an athletic scholarship; amending s.  
22          1011.45, F.S.; revising the list of authorized  
23          expenditures that may be included in a carry forward  
24          spending plan for state universities; amending s.  
25          1012.886, F.S.; revising a limitation on compensation

26 | for Florida College System institution administrative  
27 | employees; amending s. 1012.976, F.S.; revising and  
28 | providing definitions; revising a limitation on  
29 | compensation for state university employees; amending  
30 | s. 1012.978, F.S.; requiring university boards of  
31 | trustees to submit an annual report to the Board of  
32 | Governors when awarding bonuses; requiring the board  
33 | to develop a regulation; amending s. 1013.45, F.S.;  
34 | revising applicability of certain educational  
35 | facilities contracting and construction techniques;  
36 | amending s. 1013.62, F.S.; deleting obsolete language;  
37 | making technical changes; revising the calculation  
38 | methodologies for the distribution of specified funds  
39 | to eligible charter schools; providing school district  
40 | requirements for the distribution of capital outlay  
41 | funds to eligible charter schools; amending s.  
42 | 1013.64, F.S.; deleting cost and size limitations  
43 | applicable to certain minor facilities; amending s.  
44 | 1013.841, F.S.; revising the list of authorized  
45 | expenditures that may be included in a carry forward  
46 | spending plan for Florida College System institutions;  
47 | providing an effective date.

48 |  
49 | Be It Enacted by the Legislature of the State of Florida:  
50 |

51 Section 1. Paragraph (b) of subsection (6) of section  
 52 212.055, Florida Statutes, is amended to read:

53 212.055 Discretionary sales surtaxes; legislative intent;  
 54 authorization and use of proceeds.—It is the legislative intent  
 55 that any authorization for imposition of a discretionary sales  
 56 surtax shall be published in the Florida Statutes as a  
 57 subsection of this section, irrespective of the duration of the  
 58 levy. Each enactment shall specify the types of counties  
 59 authorized to levy; the rate or rates which may be imposed; the  
 60 maximum length of time the surtax may be imposed, if any; the  
 61 procedure which must be followed to secure voter approval, if  
 62 required; the purpose for which the proceeds may be expended;  
 63 and such other requirements as the Legislature may provide.  
 64 Taxable transactions and administrative procedures shall be as  
 65 provided in s. 212.054.

66 (6) SCHOOL CAPITAL OUTLAY SURTAX.—

67 (b) The resolution must include a statement that provides  
 68 a brief and general description of the school capital outlay  
 69 projects to be funded by the surtax. The resolution must include  
 70 a statement that the revenues collected must be shared with  
 71 eligible charter schools based on their proportionate share of  
 72 the total school district capital outlay full-time equivalent  
 73 enrollment as adopted by the education estimating conference  
 74 established in s. 216.136 ~~enrollment~~. The statement must conform  
 75 to the requirements of s. 101.161 and shall be placed on the

76 ballot by the governing body of the county. The following  
77 question shall be placed on the ballot:

78

....FOR THE   ....CENTS TAX

79

....AGAINST THE   ....CENTS TAX

80

81       Section 2. Paragraph (a) of subsection (7) of section  
82 1001.706, Florida Statutes, is amended to read:

83       1001.706 Powers and duties of the Board of Governors.—

84       (7) POWERS AND DUTIES RELATING TO PROPERTY.—

85       (a) The Board of Governors shall develop guidelines for  
86 university boards of trustees relating to the acquisition of  
87 real and personal property and the sale and disposal thereof and  
88 the approval and execution of contracts for the purchase, sale,  
89 lease, license, or acquisition of commodities, goods, equipment,  
90 contractual services, leases of real and personal property, and  
91 construction. The acquisition may include purchase by  
92 installment or lease-purchase. Such contracts may provide for  
93 payment of interest on the unpaid portion of the purchase price.  
94 Title to all real property acquired before ~~prior to~~ January 7,  
95 2003, and to all real property acquired with funds appropriated  
96 by the Legislature shall be vested in the Board of Trustees of  
97 the Internal Improvement Trust Fund and shall be transferred and  
98 conveyed by it.

99           1. No later than October 1, 2023, the Board of Governors  
 100 shall develop regulations for university boards of trustees  
 101 relating to the procedures for contracting for professional  
 102 services as defined in s. 287.055(2)(a) and for the construction  
 103 of new facilities or for the remodeling, renovation, or  
 104 maintenance of or additions or repairs to existing facilities.  
 105 The regulations must include, but are not limited to,  
 106 competitive bids, design-build, and selection of a construction  
 107 management entity. Contracts executed, extended, or amended on  
 108 or before September 30, 2023, must comply with the requirements  
 109 of s. 287.055.

110           2. Notwithstanding any other provisions of this  
 111 subsection, each board of trustees shall comply with the  
 112 provisions of s. 287.055 for the procurement of professional  
 113 services as defined therein. any acquisition pursuant to this  
 114 paragraph is subject to the provisions of s. 1010.62.

115           Section 3. Section 1004.3841, Florida Statutes, is created  
 116 to read:

117           1004.3841 The Institute for Risk Management and Insurance  
 118 Education.—The Institute for Risk Management and Insurance  
 119 Education is established within the College of Business at the  
 120 University of Central Florida. Since insurance and risk  
 121 management is a major industry in the state, with a  
 122 concentration of such industry in Volusia County, the institute  
 123 shall be located in Volusia County. Like many other industries

124 in the state, the insurance and risk management industry is  
125 being revolutionized by, among other things, the integration of  
126 technology, predictive analytics, and data science, and is  
127 becoming more complex given its exposure to transformative  
128 trends in the economy and environment. The purpose of the  
129 institute is to respond to the ever-evolving insurance and risk  
130 management industry and the present and emerging needs of the  
131 state and its residents. The goals of the institute are to:

132 (1) Pursue technological innovations that advance risk  
133 valuation models and operational efficiencies in the insurance  
134 industry.

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

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

141 (4) Take advantage of the University of Central Florida's  
142 robust portfolio of academic program offerings and draw on  
143 faculty and industry experts in diverse fields, including  
144 actuarial science, computer science, economics, engineering,  
145 environmental science, finance, forensics, law, management,  
146 marketing, and psychology.

147 (5) Develop and offer risk management and insurance  
148 education, including education that recognizes risks in areas

149 such as the environment, pandemic disease, and digital security.  
 150 (6) Offer programs, workshops, case studies, and applied  
 151 research studies that integrate technology and artificial  
 152 intelligence with soft skills while preparing students and  
 153 professionals for the technology-enabled insurance industry of  
 154 the future.

155 Section 4. Subsections (2) and (4) of section 1009.26,  
 156 Florida Statutes, are amended, and subsection (21) is added to  
 157 that section, to read:

158 1009.26 Fee waivers.—

159 (2) A state university or Florida College System  
 160 institution may waive any ~~or all~~ application, tuition, or ~~and~~  
 161 related fees for persons who supervise student interns for a  
 162 state university or Florida College System institution.

163 (4) A state university or Florida College System  
 164 institution may waive any ~~or all~~ application, tuition, or ~~and~~  
 165 related fees for persons 60 years of age or older who are  
 166 residents of this state and who attend classes for credit. ~~No~~  
 167 Academic credit may not ~~shall~~ be awarded for attendance in  
 168 classes for which fees are waived under this subsection. This  
 169 privilege may be granted only on a space-available basis, ~~if~~  
 170 such classes are not filled as of the close of registration. A  
 171 university or Florida College System institution may limit or  
 172 deny the privilege for courses that ~~which~~ are in programs for  
 173 which the Board of Governors or State Board of Education,

174 respectively, has established selective admissions criteria.  
 175 Persons paying full fees and state employees taking courses on a  
 176 space-available basis shall have priority over those persons  
 177 whose fees are waived in all cases where classroom spaces are  
 178 limited.

179 (21) A state university or Florida College System  
 180 institution may waive the out-of-state fee for a student who is  
 181 an intercollegiate athlete receiving an athletic scholarship.

182 Section 5. Subsection (3) of section 1011.45, Florida  
 183 Statutes, is amended to read:

184 1011.45 End of year balance of funds.—Unexpended amounts  
 185 in any fund in a university current year operating budget shall  
 186 be carried forward and included as the balance forward for that  
 187 fund in the approved operating budget for the following year.

188 (3) A university's carry forward spending plan must ~~shall~~  
 189 include the estimated cost per planned expenditure and a  
 190 timeline for completion of the expenditure. Authorized  
 191 expenditures in a carry forward spending plan may include:

192 (a) Commitment of funds to a public education capital  
 193 outlay project for which an appropriation has previously been  
 194 provided that requires additional funds for completion and which  
 195 is included in the list required by s. 1001.706(12) (d);

196 (b) Completion of a renovation, repair, or maintenance  
 197 project that is consistent with ~~the provisions of s. 1013.64(1)~~  
 198 or, up to \$5 million per project and replacement of a minor



199 | ~~facility that does not exceed 10,000 gross square feet in size~~  
 200 | ~~up to \$2 million;~~

201 | (c) Completion of a remodeling or infrastructure project,  
 202 | including a project for a developmental research school, ~~up to~~  
 203 | ~~\$10 million per project,~~ if such project is survey recommended  
 204 | pursuant to s. 1013.31;

205 | (d) Completion of a repair or replacement project  
 206 | necessary due to damage caused by a natural disaster for  
 207 | buildings included in the inventory required pursuant to s.  
 208 | 1013.31;

209 | (e) Operating expenditures that support the university's  
 210 | ~~university mission and that are nonrecurring;~~

211 | (f) Any purpose specified by the board or in the General  
 212 | Appropriations Act, including the requirements in s.  
 213 | 1001.706(12)(c) or similar requirements pursuant to Board of  
 214 | Governors regulations; and

215 | (g) A commitment of funds to a contingency reserve for  
 216 | expenses incurred as a result of a state of emergency declared  
 217 | by the Governor pursuant to s. 252.36.

218 | Section 6. Subsection (2) of section 1012.886, Florida  
 219 | Statutes, is amended to read:

220 | 1012.886 Remuneration of Florida College System  
 221 | institution administrative employees; limitations.—

222 | (2) LIMITATION ON COMPENSATION.—Notwithstanding any other  
 223 | law, resolution, or rule to the contrary, a Florida College

224 System institution administrative employee may not receive more  
 225 than \$250,000 ~~\$200,000~~ in remuneration annually from  
 226 appropriated state funds. Only compensation, as such term is  
 227 defined in s. 121.021(22), provided to a Florida College System  
 228 institution administrative employee may be used in calculating  
 229 benefits under chapter 121.

230 Section 7. Section 1012.976, Florida Statutes, is amended  
 231 to read:

232 1012.976 Remuneration of state university employees;  
 233 limitations.—

234 (1) DEFINITIONS.—As used in this section, the term:

235 (a) ~~"Appropriated state funds" means funds appropriated~~  
 236 ~~from the General Revenue Fund or funds appropriated from state~~  
 237 ~~trust funds.~~

238 ~~(b)~~ "Cash-equivalent compensation" means any benefit that  
 239 may be assigned an equivalent cash value.

240 (b) "Public funds" means funds appropriated from the  
 241 General Revenue Fund, funds appropriated from state trust funds,  
 242 or tuition and fees.

243 (c) "Remuneration" means salary, bonuses, and cash-  
 244 equivalent compensation paid to a state university employee by  
 245 his or her employer for work performed, excluding health  
 246 insurance benefits and retirement benefits.

247 (2) LIMITATION ON COMPENSATION.—Notwithstanding any other  
 248 law, resolution, or rule to the contrary, a state university

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249 employee may not receive more than \$250,000 ~~\$200,000~~ in  
250 remuneration annually from public ~~appropriated state~~ funds. Only  
251 compensation, as such term is defined in s. 121.021(22),  
252 provided to a state university employee may be used in  
253 calculating benefits under chapter 121.

254 (3) EXCEPTIONS.—This section does not prohibit any party  
255 from providing cash or cash-equivalent compensation from funds  
256 that are not public ~~appropriated state~~ funds to a state  
257 university employee in excess of the limit in subsection (2). If  
258 a party is unable or unwilling to fulfill an obligation to  
259 provide cash or cash-equivalent compensation to a state  
260 university employee as permitted under this subsection, public  
261 ~~appropriated state~~ funds may not be used to fulfill such  
262 obligation. This section does not apply to university teaching  
263 faculty in instructional programs classified as Computer  
264 Information Sciences and Support Services; Engineering;  
265 Engineering Technologies and Engineering-Related Fields; Florida  
266 Mental Health Institute; Health Professions and Related  
267 Programs; Homeland Security, Law Enforcement, Firefighting, and  
268 Related Fields; Mathematics; Nursing; or Physical Sciences; or  
269 to medical school faculty or staff.

270 Section 8. Section 1012.978, Florida Statutes, is amended  
271 to read:

272 1012.978 Bonuses for state university system employees.—  
273 Notwithstanding s. 215.425(3), a university board of trustees

274 may implement a bonus scheme based on awards for work  
 275 performance or employee recruitment and retention. The board of  
 276 trustees must submit an annual report to the Board of Governors  
 277 when awarding bonuses ~~the bonus scheme, including the evaluation~~  
 278 ~~criteria by which a bonus will be awarded.~~ The Board of  
 279 Governors shall develop a regulation to ensure consistency in  
 280 the implementation of this section ~~must approve any bonus scheme~~  
 281 ~~created under this section before its implementation.~~

282 Section 9. Section 1013.45, Florida Statutes, is amended  
 283 to read:

284 1013.45 Educational facilities contracting and  
 285 construction techniques for school districts and Florida College  
 286 System institutions.-

287 (1) District school boards and boards of trustees of  
 288 Florida College System institutions may employ procedures to  
 289 contract for construction of new facilities, or for additions,  
 290 remodeling, renovation, maintenance, or repairs to existing  
 291 facilities, which ~~that will~~ include, but are not ~~be~~ limited to:

292 (a) Competitive bids.

293 (b) Design-build pursuant to s. 287.055.

294 (c) Selecting a construction management entity, pursuant  
 295 to s. 255.103 or the process provided by s. 287.055, that would  
 296 be responsible for all scheduling and coordination in both  
 297 design and construction phases and is generally responsible for  
 298 the successful, timely, and economical completion of the

299 construction project. The construction management entity must  
300 consist of or contract with licensed or registered professionals  
301 for the specific fields or areas of construction to be  
302 performed, as required by law. At the option of the board, the  
303 construction management entity, after having been selected, may  
304 be required to offer a guaranteed maximum price or a guaranteed  
305 completion date; in which case, the construction management  
306 entity must secure an appropriate surety bond pursuant to s.  
307 255.05 and must hold construction subcontracts. The criteria for  
308 selecting a construction management entity may ~~shall~~ not  
309 unfairly penalize an entity that has relevant experience in the  
310 delivery of construction projects of similar size and complexity  
311 by methods of delivery other than construction management.

312 (d) Selecting a program management entity, pursuant to s.  
313 255.103 or the process provided by s. 287.055, that would act as  
314 the agent of the board and would be responsible for schedule  
315 control, cost control, and coordination in providing or  
316 procuring planning, design, and construction services. The  
317 program management entity must consist of or contract with  
318 licensed or registered professionals for the specific areas of  
319 design or construction to be performed as required by law. The  
320 program management entity may retain necessary design  
321 professionals selected under the process provided in s. 287.055.  
322 At the option of the board, the program management entity, after  
323 having been selected, may be required to offer a guaranteed

324 maximum price or a guaranteed completion date, in which case the  
325 program management entity must secure an appropriate surety bond  
326 pursuant to s. 255.05 and must hold design and construction  
327 subcontracts. The criteria for selecting a program management  
328 entity may ~~shall~~ not unfairly penalize an entity that has  
329 relevant experience in the delivery of construction programs of  
330 similar size and complexity by methods of delivery other than  
331 program management.

332 (e) Day-labor contracts not exceeding \$280,000 for  
333 construction, renovation, remodeling, or maintenance of existing  
334 facilities. This amount shall be adjusted annually based upon  
335 changes in the Consumer Price Index.

336 (2) For the purposes of this section, "day-labor contract"  
337 means a project constructed using persons employed directly by a  
338 board or by contracted labor.

339 (3) Contractors, design-build firms, contract management  
340 entities, program management entities, or any other person under  
341 contract to construct facilities or major additions to  
342 facilities may use any construction techniques allowed by  
343 contract and not prohibited by law, including, but not limited  
344 to, those techniques known as fast-track construction  
345 scheduling, use of components, and systems building process.

346 (4) Except as otherwise provided in this section and s.  
347 481.229, the services of a registered architect must be used for  
348 the development of plans for the erection, enlargement, or

349 alteration of any educational facility. The services of a  
350 registered architect are not required for a minor renovation  
351 project for which the construction cost is less than \$50,000 or  
352 for the placement or hookup of relocatable educational  
353 facilities that conform to ~~with~~ standards adopted under s.  
354 1013.37. However, boards must provide compliance with building  
355 code requirements and ensure that these structures are  
356 adequately anchored for wind resistance as required by law. A  
357 district school board shall reuse existing construction  
358 documents or design criteria packages if such reuse is feasible  
359 and practical. If a school district's 5-year educational  
360 facilities work plan includes the construction of two or more  
361 new schools for students in the same grade group and program,  
362 such as elementary, middle, or high school, the district school  
363 board must ~~shall~~ require that prototype design and construction  
364 be used for the construction of these schools. Notwithstanding  
365 s. 287.055, a board may purchase the architectural services for  
366 the design of educational or ancillary facilities under an  
367 existing contract agreement for professional services held by a  
368 district school board in the State of Florida, provided that the  
369 purchase is to the economic advantage of the purchasing board,  
370 the services conform to the standards prescribed by rules of the  
371 State Board of Education, and such reuse is not without notice  
372 to, and permission from, the architect of record whose plans or  
373 design criteria are being reused. Plans must ~~shall~~ be reviewed

374 for compliance with the State Requirements for Educational  
 375 Facilities. Rules adopted under this section must establish  
 376 uniform prequalification, selection, bidding, and negotiation  
 377 procedures applicable to construction management contracts and  
 378 the design-build process. This section does not supersede any  
 379 small, woman-owned, or minority-owned business enterprise  
 380 preference program adopted by a board. Except as otherwise  
 381 provided in this section, the negotiation procedures applicable  
 382 to construction management contracts and the design-build  
 383 process must conform to the requirements of s. 287.055. A board  
 384 may not modify any rules regarding construction management  
 385 contracts or the design-build process.

386 Section 10. Subsections (1), (2), and (3) of section  
 387 1013.62, Florida Statutes, are amended to read:

388 1013.62 Charter schools capital outlay funding.—

389 (1) ~~For the 2022-2023 fiscal year, charter school capital~~  
 390 ~~outlay funding shall consist of state funds appropriated in the~~  
 391 ~~2022-2023 General Appropriations Act. Beginning in fiscal year~~  
 392 ~~2023-2024,~~ Charter school capital outlay funding shall consist  
 393 of state funds when such funds are appropriated in the General  
 394 Appropriations Act and revenue resulting from the discretionary  
 395 millage authorized in s. 1011.71(2) ~~if the amount of state funds~~  
 396 ~~appropriated for charter school capital outlay in any fiscal~~  
 397 ~~year is less than the average charter school capital outlay~~  
 398 ~~funds per unweighted full-time equivalent student for the 2018-~~



399 ~~2019 fiscal year, multiplied by the estimated number of charter~~  
400 ~~school students for the applicable fiscal year, and adjusted by~~  
401 ~~changes in the Consumer Price Index issued by the United States~~  
402 ~~Department of Labor from the previous fiscal year. Nothing in~~  
403 ~~this subsection prohibits a school district from distributing to~~  
404 ~~charter schools funds resulting from the discretionary millage~~  
405 ~~authorized in s. 1011.71(2).~~

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

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

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

412 c. Be an expanded feeder chain of a charter school within  
413 the same school district that is currently receiving charter  
414 school capital outlay funds;

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

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

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

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

424 available.

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

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

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

431 (b) A charter school is not eligible to receive capital  
432 outlay funds if it was created by the conversion of a public  
433 school and operates in facilities provided by the charter  
434 school's sponsor for a nominal fee, or at no charge, or if it is  
435 directly or indirectly operated by the school district.

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

439 ~~(a) Eligible charter schools shall be grouped into~~  
440 ~~categories based on their student populations according to the~~  
441 ~~following criteria:~~

442 ~~1. Seventy-five percent or greater who are eligible for~~  
443 ~~free or reduced-price school meals under the National School~~  
444 ~~Lunch Program or, for schools operating programs under the~~  
445 ~~Community Eligibility Provision of the Healthy, Hunger-Free Kids~~  
446 ~~Act of 2010, an equivalent percentage of the student population~~  
447 ~~eligible for free and reduced-price meals as determined by~~  
448 ~~applying the multiplier authorized under the National School~~

449 ~~Lunch Act, 42 U.S.C. s. 1759a(a) (1) (F) (vii), to the number of~~  
450 ~~students reported for direct certification.~~

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

454 ~~(b) If an eligible charter school does not meet the~~  
455 ~~criteria for either category under paragraph (a), its FTE shall~~  
456 ~~be provided as the base amount of funding and shall be assigned~~  
457 ~~a weight of 1.0. An eligible charter school that meets the~~  
458 ~~criteria under subparagraph (a)1. or subparagraph (a)2. shall be~~  
459 ~~provided an additional 25 percent above the base funding amount,~~  
460 ~~and the total FTE shall be multiplied by a weight of 1.25. An~~  
461 ~~eligible charter school that meets the criteria under both~~  
462 ~~subparagraphs (a)1. and (a)2. shall be provided an additional 50~~  
463 ~~percent above the base funding amount, and the FTE for that~~  
464 ~~school shall be multiplied by a weight of 1.5.~~

465 ~~(a)(e)~~ Divide the state appropriation for charter school  
466 capital outlay ~~shall be divided~~ by the total ~~weighted~~ FTE for  
467 all eligible charter schools to determine the base charter  
468 school per ~~weighted~~ FTE allocation amount. The base charter  
469 school per ~~weighted~~ FTE allocation amount shall be multiplied by  
470 the ~~weighted~~ FTE of each charter school to determine each  
471 charter school's capital outlay allocation.

472 ~~(b)(d)~~ The department shall calculate the eligible charter  
473 ~~school funding allocations.~~ Funds shall be allocated using full-

474 time equivalent membership from the second and third enrollment  
 475 surveys and ~~free and reduced-price school lunch data~~. The  
 476 department shall recalculate the allocations periodically based  
 477 on the receipt of revised information, on a schedule established  
 478 by the Commissioner of Education.

479 (c)~~(e)~~ The department shall distribute capital outlay  
 480 funds monthly, beginning in the first quarter of the fiscal  
 481 year, based on one-twelfth of the amount the department  
 482 reasonably expects the charter school to receive during that  
 483 fiscal year. The commissioner shall adjust subsequent  
 484 distributions as necessary to reflect each charter school's  
 485 recalculated allocation.

486 (3) If the school board levies the discretionary millage  
 487 authorized in s. 1011.71(2), ~~and the state funds appropriated~~  
 488 ~~for charter school capital outlay in any fiscal year are less~~  
 489 ~~than the average charter school capital outlay funds per~~  
 490 ~~unweighted full-time equivalent student for the 2018-2019 fiscal~~  
 491 ~~year, multiplied by the estimated number of charter school~~  
 492 ~~students for the applicable fiscal year, and adjusted by changes~~  
 493 ~~in the Consumer Price Index issued by the United States~~  
 494 ~~Department of Labor from the previous fiscal year, the~~  
 495 department shall use the following calculation methodology to  
 496 determine the amount of revenue that a school district must  
 497 distribute to each eligible charter school:

498 (a) Reduce the total discretionary millage revenue by the

499 school district's annual debt service obligation incurred as of  
 500 March 1, 2017, which has not been subsequently retired, and any  
 501 amount of participation requirement pursuant to s.

502 1013.64(2)(a)8. that is being satisfied by revenues raised by  
 503 the discretionary millage.

504 (b) Divide the school district's adjusted discretionary  
 505 millage revenue by the district's total capital outlay full-time  
 506 equivalent membership and the total number of ~~unweighted~~ full-  
 507 time equivalent students of each eligible charter school to  
 508 determine a capital outlay allocation per full-time equivalent  
 509 student.

510 (c) Multiply the capital outlay allocation per full-time  
 511 equivalent student by the total number of full-time equivalent  
 512 students of each eligible charter school to determine the  
 513 capital outlay allocation for each charter school.

514 (d) If applicable, reduce the capital outlay allocation  
 515 identified in paragraph (c) by the total amount of state funds  
 516 allocated to each eligible charter school in subsection (2) to  
 517 determine the maximum calculated capital outlay allocation. The  
 518 amount of funds a school district must distribute to charter  
 519 schools shall be as follows:

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

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

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

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

528           5. For fiscal year 2027-2028, and each fiscal year  
 529 thereafter, the amount is 100 percent of the amount calculated  
 530 under this paragraph.

531           (e) School districts shall distribute capital outlay funds  
 532 to eligible charter schools no later than February 1 of each  
 533 year, as required by this subsection, based on the amount of  
 534 funds received by the district school board. School districts  
 535 shall distribute any remaining capital outlay funds, as required  
 536 by this subsection, upon the receipt of such funds until the  
 537 total amount calculated pursuant to this subsection is  
 538 distributed.

539  
 540 By October 1 of each year, each school district shall certify to  
 541 the department the amount of debt service and participation  
 542 requirement that complies with the requirement of paragraph (a)  
 543 and can be reduced from the total discretionary millage revenue.  
 544 The Auditor General shall verify compliance with the  
 545 requirements of paragraph (a) and s. 1011.71(2)(e) during  
 546 scheduled operational audits of school districts.

547           Section 11. Paragraph (h) of subsection (1) of section  
 548 1013.64, Florida Statutes, is amended to read:

549           1013.64 Funds for comprehensive educational plant needs;  
 550 construction cost maximums for school district capital  
 551 projects.—Allocations from the Public Education Capital Outlay  
 552 and Debt Service Trust Fund to the various boards for capital  
 553 outlay projects shall be determined as follows:

554           (1)

555           (h) University boards of trustees may utilize funds  
 556 appropriated pursuant to this section for replacement of minor  
 557 facilities ~~provided that such projects do not exceed \$1 million~~  
 558 ~~in cost or 10,000 gross square feet in size.~~ Minor facilities  
 559 may not be replaced from funds provided pursuant to this section  
 560 unless the board determines that the cost of repair or  
 561 renovation is greater than or equal to the cost of replacement.

562           Section 12. Subsection (4) of section 1013.841, Florida  
 563 Statutes, is amended to read:

564           1013.841 End of year balance of Florida College System  
 565 institution funds.—

566           (4) A Florida College System institution identified in  
 567 paragraph (3)(b) must include in its carry forward spending plan  
 568 the estimated cost per planned expenditure and a timeline for  
 569 completion of the expenditure. Authorized expenditures in a  
 570 carry forward spending plan may include:

571           (a) Commitment of funds to a public education capital  
 572 outlay project for which an appropriation was previously  
 573 provided, which requires additional funds for completion, and

574 | which is included in the list required by s. 1001.03(18) (d);  
 575 |       (b) Completion of a renovation, repair, or maintenance  
 576 | project that is consistent with ~~the provisions of~~ s. 1013.64(1)  
 577 | or replacement of a minor facility, up to \$5 million per  
 578 | project;  
 579 |       (c) Completion of a remodeling or infrastructure project,  
 580 | ~~up to \$10 million per project,~~ if such project is survey  
 581 | recommended pursuant to s. 1013.31;  
 582 |       (d) Completion of a repair or replacement project  
 583 | necessary due to damage caused by a natural disaster for  
 584 | buildings included in the inventory required pursuant to s.  
 585 | 1013.31;  
 586 |       (e) Operating expenditures that support the Florida  
 587 | College System institution's mission ~~which are nonrecurring;~~  
 588 |       (f) Any purpose approved by the state board or specified  
 589 | in the General Appropriations Act; and  
 590 |       (g) A commitment of funds to a contingency reserve for  
 591 | expenses incurred as a result of a state of emergency declared  
 592 | by the Governor pursuant to s. 252.36.  
 593 |       Section 13. This act shall take effect July 1, 2023.