

By Senator Calatayud

38-00774A-23

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1                                   A bill to be entitled  
2       An act relating to charter school loans; creating s.  
3       1002.336, F.S.; establishing the Charter School  
4       Revolving Loan Program for a specified purpose;  
5       providing that funding for the program shall consist  
6       of specified funds; requiring the Department of  
7       Education to contract with a third-party administrator  
8       to administer the program; providing requirements for  
9       such third-party administrator; providing that loans  
10      made through the program do not imply the full faith  
11      and credit of the state; providing that loans provided  
12      by the third-party administrator are at the sole  
13      discretion of the third-party administrator; providing  
14      the purpose of the loans; requiring all loan documents  
15      to include specified language and be expressly agreed  
16      to by the third-party administrator and loan  
17      recipients; requiring the third-party administrator to  
18      electronically provide copies of certain loan  
19      documents to the department; requiring the department  
20      to post specified information on its website;  
21      requiring all repayments of principal and interest to  
22      be returned to the loan fund and made available for  
23      loans to other applicants; authorizing interest paid  
24      on loans to be used to defray the costs of program  
25      administration; providing an appropriation; providing  
26      an effective date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Section 1002.336, Florida Statutes, is created  
31 to read:

32 1002.336 Charter School Revolving Loan Program.-

33 (1) The Charter School Revolving Loan Program is  
34 established to provide assistance to charter school operators to  
35 meet school building financing needs for charter schools. The  
36 program shall consist of funds appropriated by the Legislature,  
37 philanthropic contributions, money received from the repayment  
38 of loans made from the program, and interest earned.

39 (2) The Department of Education shall contract with a  
40 third-party administrator to administer the program. Funds shall  
41 be granted to the third-party administrator to create a  
42 revolving loan fund for the purpose of financing charter school  
43 facilities projects.

44 (3) The third-party administrator must:

45 (a) Have experience administering a loan fund rated "A" or  
46 higher from a major credit rating agency;

47 (b) Have the infrastructure and expertise necessary to  
48 underwrite, source, and close charter school loans; and

49 (c) Be able to leverage funds appropriated by the  
50 Legislature to produce an increase in capital of 900 percent or  
51 more to support the loan fund.

52 (4) Loans made through the Charter School Revolving Loan  
53 Program do not imply the full faith and credit of the state and  
54 do not imply any consideration of credit worthiness, project  
55 viability, construction quality, ability to repay, or any other  
56 guarantee by the state.

57 (5) Loans provided by the third-party administrator under  
58 this program are made at the discretion of the third-party

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59 administrator. The third-party administrator shall provide loans  
60 to enhance access to high-quality charter schools.

61 (6) The information in subsection (4) must be included on  
62 all loan documents and expressly agreed to by the third-party  
63 administrator and any recipients of loans made under this  
64 program. All such loan documents must be electronically provided  
65 to the department.

66 (7) The department shall post on its website the projects  
67 that have received loans, the geographic distribution of the  
68 projects, the status of the projects, the costs of the program,  
69 and student outcomes for students enrolled in the schools  
70 receiving funds.

71 (8) All repayments of principal and interest must be  
72 returned to the loan fund and made available for loans to other  
73 applicants.

74 (9) Interest on loans provided under the program may be  
75 used to defray the costs of administration.

76 Section 2. For the 2023-2024 fiscal year, the sum of \$20  
77 million in nonrecurring funds is appropriated from the General  
78 Revenue Fund to the Department of Education to create the  
79 Charter School Revolving Loan Program established by this act.

80 Section 3. This act shall take effect July 1, 2023.