

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WITHDRAWN	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 Mooney offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsection (11) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Florida College System institution student fees.—

(11) (a) Each Florida College System institution board of trustees may establish a separate fee for capital improvements, technology enhancements, equipping student buildings, or the acquisition of improved real property which may not exceed 20 percent of tuition for resident students or 20 percent of the sum of tuition and out-of-state fees for nonresident students. The fee for resident students shall be limited to an increase of \$2 per credit hour over the prior year. Funds collected by

## Amendment No. 1

17 Florida College System institutions through the fee may be  
18 bonded only as provided in this subsection for the purpose of  
19 financing or refinancing new construction and equipment,  
20 renovation, remodeling of educational facilities, or the  
21 acquisition and renovation or remodeling of improved real  
22 property for use as educational facilities. The fee shall be  
23 collected as a component part of the tuition and fees, paid into  
24 a separate account, and expended only to acquire improved real  
25 property or construct and equip, maintain, improve, or enhance  
26 the educational facilities of the Florida College System  
27 institution. Projects and acquisitions of improved real property  
28 funded through the use of the capital improvement fee shall meet  
29 the survey and construction requirements of chapter 1013.  
30 Pursuant to s. 216.0158, each Florida College System institution  
31 shall identify each project, including maintenance projects,  
32 proposed to be funded in whole or in part by such fee.

33 (b) Capital improvement fee revenues may be pledged by a  
34 board of trustees as a dedicated revenue source to the repayment  
35 of debt, including lease-purchase agreements, with an overall  
36 term of not more than 7 years, including renewals, extensions,  
37 and refundings, and revenue bonds with a term not exceeding 20  
38 annual maturities and not exceeding the useful life of the asset  
39 being financed, only for financing or refinancing of the new  
40 construction and equipment, renovation, or remodeling of  
41 educational facilities. Bonds authorized pursuant to this

Amendment No. 1

42 subsection shall be requested by the Florida College System  
43 institution board of trustees and shall be issued by the  
44 Division of Bond Finance in compliance with s. 11(d), Art. VII  
45 of the State Constitution and the State Bond Act. The Division  
46 of Bond Finance may pledge fees collected by one or more Florida  
47 College System institutions to secure such bonds. Any project  
48 included in the approved educational plant survey pursuant to  
49 chapter 1013 is approved pursuant to s. 11(f), Art. VII of the  
50 State Constitution.

51 (c) Bonds issued pursuant to this subsection may be  
52 validated in the manner provided by chapter 75. Only the initial  
53 series of bonds is required to be validated. The complaint for  
54 such validation shall be filed in the circuit court of the county  
55 where the seat of state government is situated, the notice  
56 required to be published by s. 75.06 shall be published only in  
57 the county where the complaint is filed, and the complaint and  
58 order of the circuit court shall be served only on the state  
59 attorney of the circuit in which the action is pending.

60 (d) A maximum of 15 percent may be allocated from the  
61 capital improvement fee for child care centers conducted by the  
62 Florida College System institution. The use of capital  
63 improvement fees for such purpose shall be subordinate to the  
64 payment of any bonds secured by the fees.

65 (e) The state does hereby covenant with the holders of the  
66 bonds issued under this subsection that it will not take any

698125 - h0217-StrikeAll-Mooney1.docx

Published On: 2/7/2024 6:59:31 PM

Amendment No. 1

67 action that will materially and adversely affect the rights of  
68 such holders so long as the bonds authorized by this subsection  
69 are outstanding.

70 (f) Capital improvement fee revenues may be used for  
71 purposes authorized in 1013.40(4).

72 Section 2. Subsection (4) of section 1013.40, Florida  
73 Statutes, is amended to read:

74 1013.40 Planning and construction of Florida College  
75 System institution facilities; property acquisition.—

76 (4)(a) The campus of a Florida College System institution  
77 within a municipality designated as an area of critical state  
78 concern, as defined in s. 380.05, and having a comprehensive  
79 plan and land development regulations containing a building  
80 permit allocation system that limits annual growth, may  
81 construct dormitories for up to 340 beds for Florida College  
82 System institution students, and an additional 50 ~~25~~ beds for  
83 employees, educators, health care workers, and first responders.  
84 Such dormitories are exempt from the building permit allocation  
85 system and may be constructed up to 60 feet in height if the  
86 dormitories are otherwise consistent with the comprehensive  
87 plan, the Florida College System institution has a hurricane  
88 evacuation plan that requires all dormitory occupants to be  
89 evacuated 48 hours in advance of tropical force winds, and  
90 transportation is provided for dormitory occupants during an  
91 evacuation.

698125 - h0217-StrikeAll-Mooney1.docx

Published On: 2/7/2024 6:59:31 PM

Amendment No. 1

92           (b) State operating funds, state performance funds, and  
93 ~~tuition and fee~~ revenues collected from the tuition, out-of-  
94 state fee, activity and service fee, financial aid fee,  
95 technology fee, and distance learning fee may not be used for  
96 construction, debt service payments, maintenance, or operation  
97 of such dormitories.

98           (c) Grants and donations for capital outlay and revenues  
99 from the capital improvement fee may be used for construction,  
100 debt service payments, maintenance, or operation of such  
101 dormitories.

102           (d) Additional dormitory beds constructed after July 1,  
103 2016, may not be financed through the issuance of bonds by the  
104 Florida College System institution; however, bonds may be issued  
105 by nonpublic entities as part of a public-private partnership  
106 between the college and a nonpublic entity. Before the issuance  
107 of any such bonds, the Division of Bond Finance shall analyze  
108 the financing and any issues raised by such analysis must be  
109 appropriately considered by the college.

110           Section 3. This act shall take effect July 1, 2024.

111  
112 -----  
113           **T I T L E   A M E N D M E N T**

114           Remove everything before the enacting clause and insert:  
115 An act relating to college campus facilities in areas of  
116 critical state concern; amending s. 1009.23, F.S.; revising uses

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 217 (2024)

Amendment No. 1

117 | of capital improvement fees to include certain college campus  
118 | facilities in areas of critical state concern; amending s.  
119 | 1013.40, F.S.; revising the number of beds certain Florida  
120 | College System institutions may provide to certain persons;  
121 | authorizing such beds to be provided to health care workers;  
122 | revising which funds may be used for construction of  
123 | dormitories; requiring analysis of financing prior to issuance  
124 | of bonds; providing an effective date.