

By the Committee on Appropriations

576-02699-24

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1 A bill to be entitled
2 An act relating to correctional facilities capital
3 improvement; creating s. 944.751, F.S.; providing
4 legislative intent; requiring the deposit of
5 appropriated funds and any net proceeds from the sale
6 of bonds issued under the act into the Correctional
7 Facilities Capital Improvement Trust Fund; requiring
8 that such funds be used for specified purposes;
9 requiring the Department of Corrections to include
10 recommendations for the use of such funds in its
11 annual legislative budget requests; requiring the
12 department to contract with a construction management
13 entity for projects exceeding a certain dollar amount;
14 authorizing the Division of Bond Finance of the State
15 Board of Administration to issue bonds for specified
16 purposes; prohibiting the issuance of such bonds
17 unless certain conditions are met, with an exception;
18 creating a financing oversight committee consisting of
19 specified persons for a specified purpose; requiring
20 that the committee make a certain recommendation;
21 providing a contingent effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Section 944.751, Florida Statutes, is created to
26 read:

27 944.751 Correctional facilities capital improvement.-
28 (1) LEGISLATIVE INTENT.—The Legislature recognizes the
29 critical fixed capital outlay needs of the department.

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30 Therefore, it is the intent of the Legislature to provide
31 funding through cash payments or proceeds of bonds distributed
32 under this section to address these needs.

33 (2) DEPOSIT OF FUNDS.—

34 (a) Beginning in the 2024-2025 fiscal year, and each fiscal
35 year through the 2054-2055 fiscal year, the sum of \$100 million
36 is appropriated from the General Revenue Fund and shall be
37 transferred by the Chief Financial Officer by July 1 of each
38 fiscal year to the Correctional Facilities Capital Improvement
39 Trust Fund.

40 (b) Additionally, any proceeds from the sale of bonds
41 issued pursuant to this section, less the costs of issuance and
42 other costs with respect to the bonds, must be deposited into
43 the Correctional Facilities Capital Improvement Trust Fund and
44 used in accordance with this section.

45 (3) USE OF FUNDS.—Amounts available in the trust fund must
46 be used each fiscal year in the following order of priority:

47 (a) First, for the payment of debt service or funding of
48 debt service reserve funds, rebate obligations, or other amounts
49 payable with respect to bonds issued pursuant to this section;
50 and

51 (b) Then, to address the department's critical facility
52 needs, including, but not limited to, the construction of new
53 facilities or the maintenance and repair of existing facilities
54 of the department as appropriated in the General Appropriations
55 Act.

56 (4) CAPITAL IMPROVEMENTS.—

57 (a) The department shall include recommendations for the
58 use of funds in its annual legislative budget request.

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59 (b) For any project costing more than \$5 million, the
60 department shall contract with a construction management entity
61 that will be responsible for scheduling and coordinating both
62 the design and construction phases of the project.

63 (5) BONDING AUTHORITY.—

64 (a) The Division of Bond Finance of the State Board of
65 Administration is authorized to issue bonds to finance the cost
66 of constructing new correctional facilities or expanding
67 existing correctional facilities.

68 (b) Bonds issued pursuant to this section are payable from
69 the funds appropriated and transferred pursuant to this section.

70 (c) The department shall request that the Division of Bond
71 Finance issue bonds authorized by this section in accordance
72 with the General Appropriations Act. The Division of Bond
73 Finance shall issue such bonds pursuant to the State Bond Act.

74 (d) Except for bonds issued to refund previously issued
75 bonds, no series of bonds may be issued pursuant to this section
76 unless such bonds are approved and the debt service for the
77 remainder of the fiscal year in which the bonds are issued is
78 specifically appropriated in the General Appropriations Act.

79 (6) FINANCING OVERSIGHT COMMITTEE.—To ensure that the
80 funds, including any bond proceeds, are spent in an efficient
81 and responsible manner, a financing oversight committee is
82 created.

83 (a) The committee must include a representative from the
84 Senate, the House of Representatives, the Office of Policy and
85 Budget in the Executive Office of the Governor, the department,
86 and the Division of Bond Finance.

87 (b) The committee shall recommend the most cost-beneficial

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88 and effective financing methods to meet the capital facility
89 needs of the department.

90 Section 2. This act shall take effect on the same date that
91 SB 2510 or similar legislation takes effect, if such legislation
92 is adopted in the same legislative session or an extension
93 thereof and becomes a law.