

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Education Administration
2 Subcommittee

3 Representative Valdés offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 52-176 and insert:

7 which agreement may include a school district with the consent
8 of the county governing authority and the governing bodies of
9 the municipalities representing a majority of the county's
10 municipal population; or

11 2. If there is no interlocal agreement, according to the
12 formula provided in s. 218.62.

13

14 Any change in the distribution formula must take effect on the
15 first day of any month that begins at least 60 days after
16 written notification of that change has been made to the

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17 department. Any interlocal agreement that includes a school
18 district must require the surtax revenues allocated to the
19 school district to be shared with eligible charter schools, as
20 determined pursuant to s. 1013.62(1), based on the charter
21 school's proportionate share of the total school district
22 enrollment, subject to the requirements of, and for purposes
23 provided in, subparagraph (d)4.

24 (d) The proceeds of the surtax authorized by this
25 subsection and any accrued interest shall be expended by the
26 school district, within the county and municipalities within the
27 county, or, in the case of a negotiated joint county agreement,
28 within another county, to finance, plan, and construct
29 infrastructure; to acquire any interest in land for public
30 recreation, conservation, or protection of natural resources or
31 to prevent or satisfy private property rights claims resulting
32 from limitations imposed by the designation of an area of
33 critical state concern; to provide loans, grants, or rebates to
34 residential or commercial property owners who make energy
35 efficiency improvements to their residential or commercial
36 property, if a local government ordinance authorizing such use
37 is approved by referendum; or to finance the closure of county-
38 owned or municipally owned solid waste landfills that have been
39 closed or are required to be closed by order of the Department
40 of Environmental Protection. Any use of the proceeds or interest
41 for purposes of landfill closure before July 1, 1993, is

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Published On: 3/26/2025 5:39:05 PM

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42 ratified. The proceeds and any interest may not be used for the
43 operational expenses of infrastructure, except that a county
44 that has a population of fewer than 75,000 and that is required
45 to close a landfill may use the proceeds or interest for long-
46 term maintenance costs associated with landfill closure.
47 Counties, as defined in s. 125.011, and charter counties may, in
48 addition, use the proceeds or interest to retire or service
49 indebtedness incurred for bonds issued before July 1, 1987, for
50 infrastructure purposes, and for bonds subsequently issued to
51 refund such bonds. Any use of the proceeds or interest for
52 purposes of retiring or servicing indebtedness incurred for
53 refunding bonds before July 1, 1999, is ratified.

54 1. For the purposes of this paragraph, the term
55 "infrastructure" means:

56 a. Any fixed capital expenditure or fixed capital outlay
57 associated with the construction, reconstruction, or improvement
58 of public facilities that have a life expectancy of 5 or more
59 years, any related land acquisition, land improvement, design,
60 and engineering costs, and all other professional and related
61 costs required to bring the public facilities into service. For
62 purposes of this sub-subparagraph, the term "public facilities"
63 means facilities as defined in s. 163.3164(41), s. 163.3221(13),
64 or s. 189.012(5), and includes facilities that are necessary to
65 carry out governmental purposes, including, but not limited to,
66 fire stations, general governmental office buildings, and animal

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67 shelters, regardless of whether the facilities are owned by the
68 local taxing authority or another governmental entity.

69 b. A fire department vehicle, an emergency medical service
70 vehicle, a sheriff's office vehicle, a police department
71 vehicle, or any other vehicle, and the equipment necessary to
72 outfit the vehicle for its official use or equipment that has a
73 life expectancy of at least 5 years.

74 c. Any expenditure for the construction, lease, or
75 maintenance of, or provision of utilities or security for,
76 facilities, as defined in s. 29.008.

77 d. Any fixed capital expenditure or fixed capital outlay
78 associated with the improvement of private facilities that have
79 a life expectancy of 5 or more years and that the owner agrees
80 to make available for use on a temporary basis as needed by a
81 local government as a public emergency shelter or a staging area
82 for emergency response equipment during an emergency officially
83 declared by the state or by the local government under s.
84 252.38. Such improvements are limited to those necessary to
85 comply with current standards for public emergency evacuation
86 shelters. The owner must enter into a written contract with the
87 local government providing the improvement funding to make the
88 private facility available to the public for purposes of
89 emergency shelter at no cost to the local government for a
90 minimum of 10 years after completion of the improvement, with

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91 the provision that the obligation will transfer to any
92 subsequent owner until the end of the minimum period.

93 e. Any land acquisition expenditure for a residential
94 housing project in which at least 30 percent of the units are
95 affordable to individuals or families whose total annual
96 household income does not exceed 120 percent of the area median
97 income adjusted for household size, if the land is owned by a
98 local government or by a special district that enters into a
99 written agreement with the local government to provide such
100 housing. The local government or special district may enter into
101 a ground lease with a public or private person or entity for
102 nominal or other consideration for the construction of the
103 residential housing project on land acquired pursuant to this
104 sub-subparagraph.

105 f. Instructional technology used solely in a school
106 district's classrooms. As used in this sub-subparagraph, the
107 term "instructional technology" means an interactive device that
108 assists a teacher in instructing a class or a group of students
109 and includes the necessary hardware and software to operate the
110 interactive device. The term also includes support systems in
111 which an interactive device may mount and is not required to be
112 affixed to the facilities.

113 2. For the purposes of this paragraph, the term "energy
114 efficiency improvement" means any energy conservation and
115 efficiency improvement that reduces consumption through

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116 conservation or a more efficient use of electricity, natural
117 gas, propane, or other forms of energy on the property,
118 including, but not limited to, air sealing; installation of
119 insulation; installation of energy-efficient heating, cooling,
120 or ventilation systems; installation of solar panels; building
121 modifications to increase the use of daylight or shade;
122 replacement of windows; installation of energy controls or
123 energy recovery systems; installation of electric vehicle
124 charging equipment; installation of systems for natural gas fuel
125 as defined in s. 206.9951; and installation of efficient
126 lighting equipment.

127 3. Notwithstanding any other provision of this subsection,
128 a local government infrastructure surtax imposed or extended
129 after July 1, 1998, may allocate up to 15 percent of the surtax
130 proceeds for deposit into a trust fund within the county's
131 accounts created for the purpose of funding economic development
132 projects having a general public purpose of improving local
133 economies, including the funding of operational costs and
134 incentives related to economic development. The ballot statement
135 must indicate the intention to make an allocation under the
136 authority of this subparagraph

137 4. Surtax revenues which are shared with eligible charter
138 schools pursuant to paragraph (c) shall be allocated among such
139 schools based on each school's proportionate share of total
140 school district capital outlay full-time equivalent enrollment

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141 as adopted by the education estimating conference established in
142 s. 216.136. Surtax revenues must be expended by the charter
143 school in a manner consistent with the allowable uses provided
144 in s. 1013.62(4). All revenues and expenditures shall be
145 accounted for in a charter school's monthly or quarterly
146 financial statement pursuant to s. 1002.33(9). If a school's
147 charter is not renewed or is terminated and the school is
148 dissolved under the provisions of law under which the school was
149 organized, any unencumbered funds received under this paragraph
150 shall revert to the sponsor.

151 **Section 2.** The amendment made by this act to s.
152 212.055(2), Florida Statutes, which amends the allowable uses of
153 the local government infrastructure surtax, applies to levies
154 authorized by vote of the electors on or after July 1, 2025.

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

159 Remove lines 3-4 and insert:
160 F.S.; requiring that certain surtax revenues which are
161 shared with school districts must also be shared with
162 charter schools on a proportionate basis in accordance
163 with certain provisions; providing applicability;
164 amending s. 1002.33,