

1 A bill to be entitled
 2 An act relating to growth management; amending s. 1013.65,
 3 F.S.; revising the sum appropriated for the Classrooms for
 4 Kids Program; amending s. 1013.738, F.S.; revising the
 5 eligibility criteria for the High Growth District Capital
 6 Outlay Assistance Grant Program; revising provisions for
 7 allocating funds provided by the General Appropriations
 8 Act to the Public Education Capital Outlay and Debt
 9 Service Trust Fund; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Paragraph (a) of subsection (2) of section
 14 1013.65, Florida Statutes, is amended to read:

15 1013.65 Educational and ancillary plant construction
 16 funds; Public Education Capital Outlay and Debt Service Trust
 17 Fund; allocation of funds.--

18 (2)(a) The Public Education Capital Outlay and Debt
 19 Service Trust Fund shall be comprised of the following sources,
 20 which are hereby appropriated to the trust fund:

21 1. Proceeds, premiums, and accrued interest from the sale
 22 of public education bonds and that portion of the revenues
 23 accruing from the gross receipts tax as provided by s. 9(a)(2),
 24 Art. XII of the State Constitution, as amended, interest on
 25 investments, and federal interest subsidies.

26 2. General revenue funds appropriated to the fund for
 27 educational capital outlay purposes.

28 3. All capital outlay funds previously appropriated and

29 certified forward pursuant to s. 216.301.

30 4.a. Funds paid pursuant to s. 201.15(1)(d).

31 b. The sum of \$75 ~~\$41.75~~ million of such funds shall be
 32 appropriated annually for expenditure to fund the Classrooms for
 33 Kids Program created in s. 1013.735 and shall be distributed as
 34 provided by that section.

35 Section 2. Subsections (2) and (3) of section 1013.738,
 36 Florida Statutes, are amended to read:

37 1013.738 High Growth District Capital Outlay Assistance
 38 Grant Program.--

39 (2) In order to qualify for a grant, a school district
 40 must meet the following criteria:

41 (a) The district must have levied the full 2 mills of
 42 nonvoted discretionary capital outlay millage authorized in s.
 43 1011.71(2) for each of the past 3 ~~4~~ fiscal years or receive an
 44 amount from the school capital outlay surtax authorized in s.
 45 212.055(6) which, when added to the nonvoted discretionary
 46 capital outlay millage collected, equals the amount that would
 47 be generated if the full 2 mills of nonvoted discretionary
 48 capital outlay millage had been collected over the past 3 fiscal
 49 years.

50 (b) The district must have received in the prior fiscal
 51 year revenue from the collection of an impact fee specifically
 52 for schools and meet one of the following criteria:

53 1. Have received in the prior fiscal year revenue from a
 54 local government infrastructure sales surtax authorized in s.
 55 212.055(2) a portion of which was dedicated to the construction
 56 of schools in such prior fiscal year or to the satisfaction of

57 debt service pledged for the construction of schools.

58 2. Have received in the prior fiscal year revenue from a
59 school capital outlay surtax authorized in s. 212.055(6). If the
60 school capital outlay surtax is used to meet the conditions of
61 paragraph (a), the amount of the school capital outlay surtax
62 collected must be in excess of the amount in paragraph (a).

63 3. Have received in the prior fiscal year revenue from a
64 local bond referendum as authorized in ss. 1010.40-1010.55.

65 4. Have paid in the prior fiscal year debt service for a
66 local bond referendum as authorized in ss. 1010.40-1010.55.
67 ~~Fifty percent of the revenue derived from the 2-mill nonvoted~~
68 ~~discretionary capital outlay millage for the past 4 fiscal~~
69 ~~years, when divided by the district's growth in capital outlay~~
70 ~~FTE students over this period, produces a value that is less~~
71 ~~than the average cost per student station calculated pursuant to~~
72 ~~s. 1013.72(2), and weighted by statewide growth in capital~~
73 ~~outlay FTE students in elementary, middle, and high schools for~~
74 ~~the past 4 fiscal years.~~

75 (c) The district average growth in capital outlay FTE
76 students over the prior 3 fiscal years must have equaled or
77 exceeded 4 percent. Growth in any single year must be determined
78 by calculating the increase in students over the prior year
79 ~~twice the statewide average of growth in capital outlay FTE~~
80 ~~students over this same 4-year period.~~

81 (d) The district must not have received an appropriation
82 from the special facilities construction program in the current
83 fiscal year or any of the 2 fiscal years prior to the current
84 fiscal year. The Commissioner of Education must have released

85 ~~all funds allocated to the district from the Classrooms First~~
86 ~~Program authorized in s. 1013.68, and these funds were fully~~
87 ~~expended by the district as of February 1 of the current fiscal~~
88 ~~year.~~

89 ~~(c) The total capital outlay FTE students of the district~~
90 ~~is greater than 15,000 students.~~

91 (3) The funds provided in the General Appropriations Act
92 shall be allocated pursuant to the following methodology:

93 (a) Each eligible district school board shall receive an
94 amount from the Public Education Capital Outlay and Debt Service
95 Trust Fund to be calculated by computing the capital outlay
96 full-time equivalent membership as determined by the Department
97 of Education. Such membership must include, but is not limited
98 to, kindergarten through 12th grade students, except hospital
99 and homebound part-time students, students who are career
100 education students, and adult disabled students who are enrolled
101 in school district career centers. ~~For each eligible district,~~
102 ~~the Department of Education shall calculate the value of 50~~
103 ~~percent of the revenue derived from the 2 mill nonvoted~~
104 ~~discretionary capital outlay millage for the past 4 fiscal years~~
105 ~~divided by the increase in capital outlay FTE students for the~~
106 ~~same period.~~

107 (b) The capital outlay full-time equivalent membership
108 shall be determined for kindergarten through the 12th grade and
109 for career centers by averaging the unweighted full-time
110 equivalent student membership for the second and third surveys
111 and comparing the results on a school-by-school basis with the
112 Florida Inventory for School Houses. The capital outlay full-

113 time equivalent membership by grade level organization shall be
114 used in making the following calculation: the capital outlay
115 full-time equivalent membership by grade-level organization for
116 the prior year must be used to compute the growth over the
117 highest of the 3 years preceding the prior year. ~~The Department~~
118 ~~of Education shall determine, for each eligible district, the~~
119 ~~amount that must be added to the value calculated pursuant to~~
120 ~~paragraph (a) to produce the weighted average value per student~~
121 ~~station calculated pursuant to paragraph (2) (b).~~

122 (c) The total amount appropriated by the Legislature
123 pursuant to this subsection shall be allocated among the growth
124 capital outlay full-time equivalent membership. The allocation
125 shall be prorated to the districts based upon each district's
126 percentage of growth capital outlay full-time membership. The
127 most recent 4-year capital outlay full-time equivalent
128 membership data shall be used in each subsequent year's
129 calculation for the allocation of funds pursuant to this
130 subsection. ~~The value calculated for each eligible district~~
131 ~~pursuant to paragraph (b) shall be multiplied by the average~~
132 ~~increase in capital outlay FTE students for the past 4 fiscal~~
133 ~~years to determine the maximum amount of a grant that may be~~
134 ~~awarded to a district pursuant to this section.~~

135 (d) If a change, correction, or recomputation of data
136 during any year results in a reduction or increase of the
137 calculated amount previously allocated to a district, the
138 allocation to that district shall be adjusted correspondingly.
139 If such recomputation results in an increase or decrease of the
140 calculated amount, such additional or reduced amounts shall be

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141 added to or reduced from the district's future appropriations.
142 However, no change, correction, or recomputation of data shall
143 be made subsequent to 2 years following the initial annual
144 allocation. ~~In the event the funds provided in the General~~
145 ~~Appropriations Act are insufficient to fully fund the maximum~~
146 ~~grants calculated pursuant to paragraph (c), the Department of~~
147 ~~Education shall allocate the funds based on each district's~~
148 ~~prorated share of the total maximum award amount calculated for~~
149 ~~all eligible districts.~~

150 Section 3. This act shall take effect upon becoming a law.