



953132

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/02/2018 04:15 PM

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Senator Steube moved the following:

1 **Senate Amendment to Amendment (734058) (with directory and**
2 **title amendments)**

3
4 Between lines 1567 and 1568
5 insert:

6 (j)1. May use up to 3 percent of eligible contributions
7 received during the state fiscal year in which such
8 contributions are collected for administrative expenses if the
9 organization has operated as an eligible nonprofit scholarship-
10 funding organization for at least the preceding 3 fiscal years
11 and did not have any findings of material weakness or material



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12 noncompliance in its most recent audit under paragraph (m). Such
13 administrative expenses must be reasonable and necessary for the
14 organization's management and distribution of eligible
15 contributions under this section. No funds authorized under this
16 subparagraph shall be used for lobbying or political activity or
17 expenses related to lobbying or political activity. Up to one-
18 third of the funds authorized for administrative expenses under
19 this subparagraph may be used for expenses related to the
20 recruitment of contributions from taxpayers. An eligible
21 nonprofit scholarship-funding organization may not charge an
22 application fee.

23 2. Must expend for annual or partial-year scholarships an
24 amount equal to or greater than 75 percent of the net eligible
25 contributions remaining after administrative expenses during the
26 state fiscal year in which such contributions are collected. For
27 purposes of this subparagraph, the term "expend" or "expended"
28 has the same meaning as the term "expenditure" as defined in s.
29 216.011. No more than 25 percent of such net unexpended eligible
30 contributions may be carried forward, and such contributions
31 must be used for the immediately following academic year to the
32 following state fiscal year. All amounts carried forward, for
33 audit purposes, must be specifically identified for particular
34 students, by student name and the name of the school to which
35 the student is admitted, subject to the requirements of ss.
36 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, and the applicable
37 rules and regulations issued pursuant thereto. ~~Any amounts~~
38 ~~carried forward shall be expended for annual or partial-year~~
39 ~~scholarships in the following state fiscal year.~~ Net unexpended
40 eligible contributions remaining on June 30 of each year that



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41 are in excess of the 25 percent that may be carried forward
42 shall be transferred to other eligible nonprofit scholarship-
43 funding organizations to provide scholarships for eligible
44 students. All transferred funds must be deposited by each
45 eligible nonprofit scholarship-funding organization receiving
46 such funds into its scholarship account. All transferred amounts
47 received by any eligible nonprofit scholarship-funding
48 organization must be separately disclosed in the annual
49 financial audit required under paragraph (m).

50 3. Must, before granting a scholarship for an academic
51 year, document each scholarship student's eligibility for that
52 academic year. A scholarship-funding organization may not grant
53 multiyear scholarships in one approval process.

54
55 Information and documentation provided to the Department of
56 Education and the Auditor General relating to the identity of a
57 taxpayer that provides an eligible contribution under this
58 section shall remain confidential at all times in accordance
59 with s. 213.053.

60
61 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

62 And the directory clause is amended as follows:

63 Delete line 1476

64 and insert:

65 subsection (5), paragraphs (j), (n), (o), and (p) of subsection
66 (6),

67
68 ===== T I T L E A M E N D M E N T =====

69 And the title is amended as follows:



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70 Delete line 4767
71 and insert:
72 credit; providing a definition; revising provisions
73 governing the carrying forward of contributions for
74 scholarships; conforming provisions to changes made by
75 the