Appropriations Subcommittee on Education (Montford) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 1362 and 1363 insert:

(2)(a) The department shall establish, as a part of the Public Education Capital Outlay and Debt Service Trust Fund, a separate account, in an amount determined by the Legislature, to be known as the “Special Facility Construction Account.” The Special Facility Construction Account shall be used to provide necessary construction funds to school districts which have...
urgent construction needs but which lack sufficient resources at present, and cannot reasonably anticipate sufficient resources within the period of the next 3 years, for these purposes from currently authorized sources of capital outlay revenue. A school district requesting funding from the Special Facility Construction Account shall submit one specific construction project, not to exceed one complete educational plant, to the Special Facility Construction Committee. A district may not receive funding for more than one approved project in any 3-year period or while any portion of the district’s participation requirement is outstanding. The first year of the 3-year period shall be the first year a district receives an appropriation. The department shall encourage a construction program that reduces the average size of schools in the district. The request must meet the following criteria to be considered by the committee:

1. The project must be deemed a critical need and must be recommended for funding by the Special Facility Construction Committee. Before developing construction plans for the proposed facility, the district school board must request a preapplication review by the Special Facility Construction Committee or a project review subcommittee convened by the chair of the committee to include two representatives of the department and two staff members from school districts not eligible to participate in the program. A school district may request a preapplication review at any time; however, if the district school board seeks inclusion in the department’s next annual capital outlay legislative budget request, the preapplication review request must be made before February 1.
Within 90 days after receiving the preapplication review request, the committee or subcommittee must meet in the school district to review the project proposal and existing facilities. To determine whether the proposed project is a critical need, the committee or subcommittee shall consider, at a minimum, the capacity of all existing facilities within the district as determined by the Florida Inventory of School Houses; the district’s pattern of student growth; the district’s existing and projected capital outlay full-time equivalent student enrollment as determined by the demographic, revenue, and education estimating conferences established in s. 216.136; the district’s existing satisfactory student stations; the use of all existing district property and facilities; grade level configurations; and any other information that may affect the need for the proposed project.

2. The construction project must be recommended in the most recent survey or survey amendment cooperatively prepared by the district and the department, and approved by the department under the rules of the State Board of Education. If a district employs a consultant in the preparation of a survey or survey amendment, the consultant may not be employed by or receive compensation from a third party that designs or constructs a project recommended by the survey.

3. The construction project must appear on the district’s approved project priority list under the rules of the State Board of Education.

4. The district must have selected and had approved a site for the construction project in compliance with s. 1013.36 and the rules of the State Board of Education.
5. The district shall have developed a district school board adopted list of facilities that do not exceed the norm for net square feet occupancy requirements under the State Requirements for Educational Facilities, using all possible programmatic combinations for multiple use of space to obtain maximum daily use of all spaces within the facility under consideration.

6. Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6) except for cost overruns created by a disaster as defined in s. 252.34 or an unforeseeable circumstance beyond the district’s control as determined by the Special Facility Construction Committee.

7. There shall be an agreement signed by the district school board stating that it will advertise for bids within 30 days of receipt of its encumbrance authorization from the department.

8. For construction projects for which Special Facilities Construction Account funding is sought before the 2019-2020 fiscal year, the district shall, at the time of the request and for a continuing period necessary to meet the district’s participation requirement, levy the maximum millage against its nonexempt assessed property value as allowed in s. 1011.71(2) or shall raise an equivalent amount of revenue from the school capital outlay surtax authorized under s. 212.055(6). Beginning with construction projects for which Special Facilities Construction Account funding is sought in the 2019-2020 fiscal year, the district shall, for a minimum of 3 years before submitting the request and for a continuing period necessary to
meet its participation requirement, levy the maximum millage
gainst the district’s nonexempt assessed property value as
authorized under s. 1011.71(2) or shall raise an equivalent
amount of revenue from the school capital outlay surtax
authorized under s. 212.055(6). Any district with a new or
active project, funded under the provisions of this subsection,
shall be required to budget no more than the value of 1 mill per
year to the project until the district’s participation
requirement relating to the local discretionary capital
improvement millage or the equivalent amount of revenue from the
school capital outlay surtax is satisfied.

9. If a contract has not been signed 90 days after the
advertising of bids, the funding for the specific project shall
revert to the Special Facility New Construction Account to be
reallocated to other projects on the list. However, an
additional 90 days may be granted by the commissioner.

10. The department shall certify the inability of the
district to fund the survey-recommended project over a
continuous 3-year period using projected capital outlay revenue
derived from s. 9(d), Art. XII of the State Constitution, as
amended, paragraph (3)(a) of this section, and s. 1011.71(2).

11. The district shall have on file with the department an
adopted resolution acknowledging its commitment to satisfy its
participation requirement, which is equivalent to all
unencumbered and future revenue acquired from s. 9(d), Art. XII
of the State Constitution, as amended, paragraph (3)(a) of this
section, and s. 1011.71(2), in the year of the initial
appropriation and for the 2 years immediately following the
initial appropriation.
12. **Phase I Final phase III** plans must be approved certified by the district school board as being complete and in compliance with the building and life safety codes before June 1 of the year the application is made.

====== DIRECTORY CLAUSE AMENDMENT ======
And the directory clause is amended as follows:
Delete line 1356 and insert:
Section 13. Paragraph (a) of subsection (2) and paragraphs (b), (c), and (d) of subsection (6)

================= TITLE AMENDMENT ===============
And the title is amended as follows:
Delete line 173 and insert:
F.S.; revising the information required to be included in a school district’s request to receive certain funding; prohibiting a district school board from using