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A bill to be entitled

An act relating to education; amending s. 212.055, F.S.; conforming provisions to changes made by the act; amending s. 1001.706, F.S.; requiring the Board of Governors to develop regulations for university boards of trustees relating to contracting for the construction of new facilities or for work on existing facilities; providing requirements for certain contracts executed or amended before a specified date; creating s. 1004.3841, F.S.; creating the Institute for Risk Management and Insurance Education within the College of Business at the University of Central Florida; requiring the institute to be located in a specified county; providing goals of the institute; amending s. 1009.26, F.S.; providing that certain fee waivers apply to Florida College System institutions in addition to state universities; authorizing a state university or Florida College System institution to waive the out-of-state fee for a student who is an intercollegiate athlete receiving a scholarship; amending s. 1011.45, F.S.; revising the list of authorized expenditures that may be included in a

26 | carry forward spending plan for state universities;
 27 | amending s. 1012.886, F.S.; revising a limitation on
 28 | compensation for Florida College System administrative
 29 | employees; amending s. 1012.976, F.S.; revising and
 30 | providing definitions; revising a limitation on
 31 | compensation for state university employees; amending
 32 | s. 1012.978, F.S.; requiring university boards of
 33 | trustees to submit an annual report to the Board of
 34 | Governors when awarding bonuses; requiring the board
 35 | to develop a regulation; amending s. 1013.45, F.S.;
 36 | revising applicability of certain educational
 37 | facilities contracting and construction techniques;
 38 | amending s. 1013.62, F.S.; deleting obsolete language;
 39 | making technical changes; revising the calculation
 40 | methodology for the distribution of specified revenue
 41 | to eligible charter schools; providing school district
 42 | requirements for the distribution of capital outlay
 43 | funds to charter schools; amending s. 1013.64, F.S.;
 44 | deleting cost and size limitations applicable to
 45 | certain minor facilities; amending s. 1013.841, F.S.;
 46 | revising the list of authorized expenditures that may
 47 | be included in a carry forward spending plan for
 48 | Florida College System institutions; providing an
 49 | effective date.

50

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

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Section 1. Paragraph (b) of subsection (6) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(6) SCHOOL CAPITAL OUTLAY SURTAX.—

(b) The resolution must include a statement that provides a brief and general description of the school capital outlay projects to be funded by the surtax. The resolution must include a statement that the revenues collected must be shared with eligible charter schools based on their proportionate share of the total school district capital outlay full-time equivalent enrollment as adopted by the education estimating conference

76 established in s. 216.136 ~~enrollment~~. The statement must conform
 77 to the requirements of s. 101.161 and shall be placed on the
 78 ballot by the governing body of the county. The following
 79 question shall be placed on the ballot:

80

....FOR THE CENTS TAX

81

....AGAINST THE CENTS TAX

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83 Section 2. Paragraph (a) of subsection (7) of section
 84 1001.706, Florida Statutes, is amended to read:

85 1001.706 Powers and duties of the Board of Governors.—

86 (7) POWERS AND DUTIES RELATING TO PROPERTY.—

87 (a) The Board of Governors shall develop guidelines for
 88 university boards of trustees relating to the acquisition of
 89 real and personal property and the sale and disposal thereof and
 90 the approval and execution of contracts for the purchase, sale,
 91 lease, license, or acquisition of commodities, goods, equipment,
 92 contractual services, leases of real and personal property, and
 93 construction. The acquisition may include purchase by
 94 installment or lease-purchase. Such contracts may provide for
 95 payment of interest on the unpaid portion of the purchase price.
 96 Title to all real property acquired before ~~prior to~~ January 7,
 97 2003, and to all real property acquired with funds appropriated
 98 by the Legislature shall be vested in the Board of Trustees of

99 | the Internal Improvement Trust Fund and shall be transferred and
 100 | conveyed by it.

101 | 1. No later than October 1, 2023, the Board of Governors
 102 | shall develop regulations for university boards of trustees
 103 | relating to the procedures for contracting for professional
 104 | services as defined in s. 287.055(2)(a) and for the construction
 105 | of new facilities or for the remodeling, renovation, or
 106 | maintenance of or additions or repairs to existing facilities.
 107 | The regulations must include, but are not limited to,
 108 | competitive bids, design-build, and selection of a construction
 109 | management entity. Contracts executed, extended, or amended on
 110 | or before September 30, 2023, must comply with the requirements
 111 | of s. 287.055.

112 | 2. Notwithstanding any other provisions of this
 113 | subsection, each board of trustees shall comply with the
 114 | provisions of s. 287.055 for the procurement of professional
 115 | services as defined therein. any acquisition pursuant to this
 116 | paragraph is subject to the provisions of s. 1010.62.

117 | Section 3. Section 1004.3841, Florida Statutes, is created
 118 | to read:

119 | 1004.3841 The Institute for Risk Management and Insurance
 120 | Education.—The Institute for Risk Management and Insurance
 121 | Education is established within the College of Business at the
 122 | University of Central Florida. Since insurance and risk
 123 | management is a major industry in the state, with a

124 concentration of such industry in Volusia County, the institute
125 shall be located in Volusia County. Like many other industries
126 in the state, the insurance and risk management industry is
127 being revolutionized by, among other things, the integration of
128 technology, predictive analytics, and data science, and is
129 becoming more complex given its exposure to transformative
130 trends in the economy and environment. The purpose of the
131 institute is to respond to the ever-evolving insurance and risk
132 management industry and the present and emerging needs of the
133 state and its residents. The goals of the institute are to:

134 (1) Pursue technological innovations that advance risk
135 valuation models and operational efficiencies in the insurance
136 industry.

137 (2) Drive the development of workforce competencies in
138 data analytics, system-level thinking, technology integration,
139 entrepreneurship, and actuarial science.

140 (3) Leverage the University of Central Florida's world
141 class assets in data science, artificial intelligence, computer
142 science, engineering, finance, economics, and sales.

143 (4) Take advantage of the University of Central Florida's
144 robust portfolio of academic program offerings and draw on
145 faculty and industry experts in diverse fields, including
146 actuarial science, computer science, economics, engineering,
147 environmental science, finance, forensics, law, management,
148 marketing, and psychology.

149 (5) Develop and offer risk management and insurance
 150 education, including education that recognizes risks in areas
 151 such as the environment, pandemic disease, and digital security.

152 (6) Offer programs, workshops, case studies, and applied
 153 research studies that integrate technology and artificial
 154 intelligence with soft skills while preparing students and
 155 professionals for the technology-enabled insurance industry of
 156 the future.

157 Section 4. Subsections (2) and (4) of section 1009.26,
 158 Florida Statutes, are amended, and subsection (21) is added to
 159 that section, to read:

160 1009.26 Fee waivers.—

161 (2) A state university or Florida College System
 162 institution may waive any ~~or all~~ application, tuition, or ~~and~~
 163 related fees for persons who supervise student interns for a
 164 state university or Florida College System institution.

165 (4) A state university or Florida College System
 166 institution may waive any ~~or all~~ application, tuition, or ~~and~~
 167 related fees for persons 60 years of age or older who are
 168 residents of this state and who attend classes for credit. ~~No~~
 169 Academic credit may not ~~shall~~ be awarded for attendance in
 170 classes for which fees are waived under this subsection. This
 171 privilege may be granted only on a space-available basis, if
 172 such classes are not filled as of the close of registration. A
 173 university or Florida College System institution may limit or

174 deny the privilege for courses that ~~which~~ are in programs for
 175 which the Board of Governors or State Board of Education,
 176 respectively, has established selective admissions criteria.
 177 Persons paying full fees and state employees taking courses on a
 178 space-available basis shall have priority over those persons
 179 whose fees are waived in all cases where classroom spaces are
 180 limited.

181 (21) A state university or Florida College System
 182 institution may waive the out-of-state fee for a student who is
 183 an intercollegiate athlete receiving an athletic scholarship.

184 Section 5. Subsection (3) of section 1011.45, Florida
 185 Statutes, is amended to read:

186 1011.45 End of year balance of funds.—Unexpended amounts
 187 in any fund in a university current year operating budget shall
 188 be carried forward and included as the balance forward for that
 189 fund in the approved operating budget for the following year.

190 (3) A university's carry forward spending plan must ~~shall~~
 191 include the estimated cost per planned expenditure and a
 192 timeline for completion of the expenditure. Authorized
 193 expenditures in a carry forward spending plan may include:

194 (a) Commitment of funds to a public education capital
 195 outlay project for which an appropriation has previously been
 196 provided that requires additional funds for completion and which
 197 is included in the list required by s. 1001.706(12) (d);

198 (b) Completion of a renovation, repair, or maintenance

199 project that is consistent with ~~the provisions of s. 1013.64(1)~~
 200 ~~or, up to \$5 million per project and replacement of a minor~~
 201 ~~facility that does not exceed 10,000 gross square feet in size~~
 202 ~~up to \$2 million;~~

203 (c) Completion of a remodeling or infrastructure project,
 204 including a project for a developmental research school, ~~up to~~
 205 ~~\$10 million per project,~~ if such project is survey recommended
 206 pursuant to s. 1013.31;

207 (d) Completion of a repair or replacement project
 208 necessary due to damage caused by a natural disaster for
 209 buildings included in the inventory required pursuant to s.
 210 1013.31;

211 (e) Operating expenditures that support the university's
 212 ~~university mission and that are nonrecurring;~~

213 (f) Any purpose specified by the board or in the General
 214 Appropriations Act, including the requirements in s.
 215 1001.706(12)(c) or similar requirements pursuant to Board of
 216 Governors regulations; and

217 (g) A commitment of funds to a contingency reserve for
 218 expenses incurred as a result of a state of emergency declared
 219 by the Governor pursuant to s. 252.36.

220 Section 6. Subsection (2) of section 1012.886, Florida
 221 Statutes, is amended to read:

222 1012.886 Remuneration of Florida College System
 223 institution administrative employees; limitations.-

224 (2) LIMITATION ON COMPENSATION.—Notwithstanding any other
 225 law, resolution, or rule to the contrary, a Florida College
 226 System institution administrative employee may not receive more
 227 than \$250,000 ~~\$200,000~~ in remuneration annually from
 228 appropriated state funds. Only compensation, as such term is
 229 defined in s. 121.021(22), provided to a Florida College System
 230 institution administrative employee may be used in calculating
 231 benefits under chapter 121.

232 Section 7. Section 1012.976, Florida Statutes, is amended
 233 to read:

234 1012.976 Remuneration of state university employees;
 235 limitations.—

236 (1) DEFINITIONS.—As used in this section, the term:

237 (a) ~~"Appropriated state funds" means funds appropriated~~
 238 ~~from the General Revenue Fund or funds appropriated from state~~
 239 ~~trust funds.~~

240 ~~(b)~~ "Cash-equivalent compensation" means any benefit that
 241 may be assigned an equivalent cash value.

242 (b) "Public funds" means funds appropriated from the
 243 General Revenue Fund, funds appropriated from state trust funds,
 244 or tuition and fees.

245 (c) "Remuneration" means salary, bonuses, and cash-
 246 equivalent compensation paid to a state university employee by
 247 his or her employer for work performed, excluding health
 248 insurance benefits and retirement benefits.

249 (2) LIMITATION ON COMPENSATION.—Notwithstanding any other
 250 law, resolution, or rule to the contrary, a state university
 251 employee may not receive more than \$250,000 ~~\$200,000~~ in
 252 remuneration annually from public ~~appropriated state~~ funds. Only
 253 compensation, as such term is defined in s. 121.021(22),
 254 provided to a state university employee may be used in
 255 calculating benefits under chapter 121.

256 (3) EXCEPTIONS.—This section does not prohibit any party
 257 from providing cash or cash-equivalent compensation from funds
 258 that are not public ~~appropriated state~~ funds to a state
 259 university employee in excess of the limit in subsection (2). If
 260 a party is unable or unwilling to fulfill an obligation to
 261 provide cash or cash-equivalent compensation to a state
 262 university employee as permitted under this subsection, public
 263 ~~appropriated state~~ funds may not be used to fulfill such
 264 obligation. This section does not apply to university teaching
 265 faculty in instructional programs classified as Computer
 266 Information Sciences and Support Services; Engineering;
 267 Engineering Technologies and Engineering-Related Fields; Florida
 268 Mental Health Institute; Health Professions and Related
 269 Programs; Homeland Security, Law Enforcement, Firefighting, and
 270 Related Fields; Mathematics; Nursing; or Physical Sciences; or
 271 to medical school faculty or staff.

272 Section 8. Section 1012.978, Florida Statutes, is amended
 273 to read:

274 1012.978 Bonuses for state university system employees.—
 275 Notwithstanding s. 215.425(3), a university board of trustees
 276 may implement a bonus scheme based on awards for work
 277 performance or employee recruitment and retention. The board of
 278 trustees must submit an annual report to the Board of Governors
 279 when awarding bonuses ~~the bonus scheme, including the evaluation~~
 280 ~~criteria by which a bonus will be awarded.~~ The Board of
 281 Governors shall develop a regulation to ensure consistency in
 282 the implementation of this section ~~must approve any bonus scheme~~
 283 ~~created under this section before its implementation.~~

284 Section 9. Section 1013.45, Florida Statutes, is amended
 285 to read:

286 1013.45 Educational facilities contracting and
 287 construction techniques for school districts and Florida College
 288 System institutions.—

289 (1) District school boards and boards of trustees of
 290 Florida College System institutions may employ procedures to
 291 contract for construction of new facilities, or for additions,
 292 remodeling, renovation, maintenance, or repairs to existing
 293 facilities, which ~~that will~~ include, but are not ~~be~~ limited to:

294 (a) Competitive bids.

295 (b) Design-build pursuant to s. 287.055.

296 (c) Selecting a construction management entity, pursuant
 297 to s. 255.103 or the process provided by s. 287.055, that would
 298 be responsible for all scheduling and coordination in both

299 design and construction phases and is generally responsible for
300 the successful, timely, and economical completion of the
301 construction project. The construction management entity must
302 consist of or contract with licensed or registered professionals
303 for the specific fields or areas of construction to be
304 performed, as required by law. At the option of the board, the
305 construction management entity, after having been selected, may
306 be required to offer a guaranteed maximum price or a guaranteed
307 completion date; in which case, the construction management
308 entity must secure an appropriate surety bond pursuant to s.
309 255.05 and must hold construction subcontracts. The criteria for
310 selecting a construction management entity may ~~shall~~ not
311 unfairly penalize an entity that has relevant experience in the
312 delivery of construction projects of similar size and complexity
313 by methods of delivery other than construction management.

314 (d) Selecting a program management entity, pursuant to s.
315 255.103 or the process provided by s. 287.055, that would act as
316 the agent of the board and would be responsible for schedule
317 control, cost control, and coordination in providing or
318 procuring planning, design, and construction services. The
319 program management entity must consist of or contract with
320 licensed or registered professionals for the specific areas of
321 design or construction to be performed as required by law. The
322 program management entity may retain necessary design
323 professionals selected under the process provided in s. 287.055.

324 At the option of the board, the program management entity, after
325 having been selected, may be required to offer a guaranteed
326 maximum price or a guaranteed completion date, in which case the
327 program management entity must secure an appropriate surety bond
328 pursuant to s. 255.05 and must hold design and construction
329 subcontracts. The criteria for selecting a program management
330 entity may ~~shall~~ not unfairly penalize an entity that has
331 relevant experience in the delivery of construction programs of
332 similar size and complexity by methods of delivery other than
333 program management.

334 (e) Day-labor contracts not exceeding \$280,000 for
335 construction, renovation, remodeling, or maintenance of existing
336 facilities. This amount shall be adjusted annually based upon
337 changes in the Consumer Price Index.

338 (2) For the purposes of this section, "day-labor contract"
339 means a project constructed using persons employed directly by a
340 board or by contracted labor.

341 (3) Contractors, design-build firms, contract management
342 entities, program management entities, or any other person under
343 contract to construct facilities or major additions to
344 facilities may use any construction techniques allowed by
345 contract and not prohibited by law, including, but not limited
346 to, those techniques known as fast-track construction
347 scheduling, use of components, and systems building process.

348 (4) Except as otherwise provided in this section and s.

349 481.229, the services of a registered architect must be used for
350 the development of plans for the erection, enlargement, or
351 alteration of any educational facility. The services of a
352 registered architect are not required for a minor renovation
353 project for which the construction cost is less than \$50,000 or
354 for the placement or hookup of relocatable educational
355 facilities that conform to ~~with~~ standards adopted under s.
356 1013.37. However, boards must provide compliance with building
357 code requirements and ensure that these structures are
358 adequately anchored for wind resistance as required by law. A
359 district school board shall reuse existing construction
360 documents or design criteria packages if such reuse is feasible
361 and practical. If a school district's 5-year educational
362 facilities work plan includes the construction of two or more
363 new schools for students in the same grade group and program,
364 such as elementary, middle, or high school, the district school
365 board must ~~shall~~ require that prototype design and construction
366 be used for the construction of these schools. Notwithstanding
367 s. 287.055, a board may purchase the architectural services for
368 the design of educational or ancillary facilities under an
369 existing contract agreement for professional services held by a
370 district school board in the State of Florida, provided that the
371 purchase is to the economic advantage of the purchasing board,
372 the services conform to the standards prescribed by rules of the
373 State Board of Education, and such reuse is not without notice

374 to, and permission from, the architect of record whose plans or
 375 design criteria are being reused. Plans must ~~shall~~ be reviewed
 376 for compliance with the State Requirements for Educational
 377 Facilities. Rules adopted under this section must establish
 378 uniform prequalification, selection, bidding, and negotiation
 379 procedures applicable to construction management contracts and
 380 the design-build process. This section does not supersede any
 381 small, woman-owned, or minority-owned business enterprise
 382 preference program adopted by a board. Except as otherwise
 383 provided in this section, the negotiation procedures applicable
 384 to construction management contracts and the design-build
 385 process must conform to the requirements of s. 287.055. A board
 386 may not modify any rules regarding construction management
 387 contracts or the design-build process.

388 Section 10. Subsections (1), (2), and (3) of section
 389 1013.62, Florida Statutes, are amended to read:

390 1013.62 Charter schools capital outlay funding.—

391 (1) ~~For the 2022-2023 fiscal year, charter school capital~~
 392 ~~outlay funding shall consist of state funds appropriated in the~~
 393 ~~2022-2023 General Appropriations Act. Beginning in fiscal year~~
 394 ~~2023-2024,~~ Charter school capital outlay funding shall consist
 395 of state funds when such funds are appropriated in the General
 396 Appropriations Act and revenue resulting from the discretionary
 397 millage authorized in s. 1011.71(2) ~~if the amount of state funds~~
 398 ~~appropriated for charter school capital outlay in any fiscal~~

399 | ~~year is less than the average charter school capital outlay~~
 400 | ~~funds per unweighted full-time equivalent student for the 2018-~~
 401 | ~~2019 fiscal year, multiplied by the estimated number of charter~~
 402 | ~~school students for the applicable fiscal year, and adjusted by~~
 403 | ~~changes in the Consumer Price Index issued by the United States~~
 404 | ~~Department of Labor from the previous fiscal year. Nothing in~~
 405 | ~~this subsection prohibits a school district from distributing to~~
 406 | ~~charter schools funds resulting from the discretionary millage~~
 407 | ~~authorized in s. 1011.71(2).~~

408 | (a) To be eligible to receive capital outlay funds, a
 409 | charter school must:

410 | 1.a. Have been in operation for 2 or more years;

411 | b. Be governed by a governing board established in the
 412 | state for 2 or more years which operates both charter schools
 413 | and conversion charter schools within the state;

414 | c. Be an expanded feeder chain of a charter school within
 415 | the same school district that is currently receiving charter
 416 | school capital outlay funds;

417 | d. Have been accredited by a regional accrediting
 418 | association as defined by State Board of Education rule;

419 | e. Serve students in facilities that are provided by a
 420 | business partner for a charter school-in-the-workplace pursuant
 421 | to s. 1002.33(15) (b); or

422 | f. Be operated by a hope operator pursuant to s. 1002.333.

423 | 2. Have an annual audit that does not reveal any of the

424 financial emergency conditions provided in s. 218.503(1) for the
425 most recent fiscal year for which such audit results are
426 available.

427 3. Have satisfactory student achievement based on state
428 accountability standards applicable to the charter school.

429 4. Have received final approval from its sponsor pursuant
430 to s. 1002.33 for operation during that fiscal year.

431 5. Serve students in facilities that are not provided by
432 the charter school's sponsor.

433 (b) A charter school is not eligible to receive capital
434 outlay funds if it was created by the conversion of a public
435 school and operates in facilities provided by the charter
436 school's sponsor for a nominal fee, or at no charge, or if it is
437 directly or indirectly operated by the school district.

438 (2) The department shall use the following calculation
439 methodology to allocate state funds appropriated in the General
440 Appropriations Act to eligible charter schools:

441 ~~(a) Eligible charter schools shall be grouped into~~
442 ~~categories based on their student populations according to the~~
443 ~~following criteria:~~

444 ~~1. Seventy-five percent or greater who are eligible for~~
445 ~~free or reduced-price school meals under the National School~~
446 ~~Lunch Program or, for schools operating programs under the~~
447 ~~Community Eligibility Provision of the Healthy, Hunger-Free Kids~~
448 ~~Act of 2010, an equivalent percentage of the student population~~

449 ~~eligible for free and reduced-price meals as determined by~~
450 ~~applying the multiplier authorized under the National School~~
451 ~~Lunch Act, 42 U.S.C. s. 1759a(a)(1)(F)(vii), to the number of~~
452 ~~students reported for direct certification.~~

453 ~~2. Twenty-five percent or greater with disabilities as~~
454 ~~defined in state board rule and consistent with the requirements~~
455 ~~of the Individuals with Disabilities Education Act.~~

456 ~~(b) If an eligible charter school does not meet the~~
457 ~~criteria for either category under paragraph (a), its FTE shall~~
458 ~~be provided as the base amount of funding and shall be assigned~~
459 ~~a weight of 1.0. An eligible charter school that meets the~~
460 ~~criteria under subparagraph (a)1. or subparagraph (a)2. shall be~~
461 ~~provided an additional 25 percent above the base funding amount,~~
462 ~~and the total FTE shall be multiplied by a weight of 1.25. An~~
463 ~~eligible charter school that meets the criteria under both~~
464 ~~subparagraphs (a)1. and (a)2. shall be provided an additional 50~~
465 ~~percent above the base funding amount, and the FTE for that~~
466 ~~school shall be multiplied by a weight of 1.5.~~

467 ~~(a)(c)~~ Divide the state appropriation for charter school
468 capital outlay ~~shall be divided~~ by the total ~~weighted~~ FTE for
469 all eligible charter schools to determine the base charter
470 school per ~~weighted~~ FTE allocation amount. The base charter
471 school per ~~weighted~~ FTE allocation amount shall be multiplied by
472 the ~~weighted~~ FTE of each charter school to determine each
473 charter school's capital outlay allocation.

474 (b)-~~(d)~~ The department shall calculate the eligible charter
475 school funding allocations. Funds shall be allocated using full-
476 time equivalent membership from the second and third enrollment
477 surveys and free and reduced-price school lunch data. The
478 department shall recalculate the allocations periodically based
479 on the receipt of revised information, on a schedule established
480 by the Commissioner of Education.

481 (c)-~~(e)~~ The department shall distribute capital outlay
482 funds monthly, beginning in the first quarter of the fiscal
483 year, based on one-twelfth of the amount the department
484 reasonably expects the charter school to receive during that
485 fiscal year. The commissioner shall adjust subsequent
486 distributions as necessary to reflect each charter school's
487 recalculated allocation.

488 (3) If the school board levies the discretionary millage
489 authorized in s. 1011.71(2), and the state funds appropriated
490 for charter school capital outlay in any fiscal year are less
491 than the average charter school capital outlay funds per
492 unweighted full-time equivalent student for the 2018-2019 fiscal
493 year, multiplied by the estimated number of charter school
494 students for the applicable fiscal year, and adjusted by changes
495 in the Consumer Price Index issued by the United States
496 Department of Labor from the previous fiscal year, the
497 department shall use the following calculation methodology to
498 determine the amount of revenue that a school district must

499 distribute to each eligible charter school:

500 (a) Reduce the total discretionary millage revenue by the
 501 school district's annual debt service obligation incurred as of
 502 March 1, 2017, which has not been subsequently retired, and any
 503 amount of participation requirement pursuant to s.
 504 1013.64(2)(a)8. that is being satisfied by revenues raised by
 505 the discretionary millage.

506 (b) Divide the school district's adjusted discretionary
 507 millage revenue by the district's total capital outlay full-time
 508 equivalent membership and the total number of ~~unweighted~~ full-
 509 time equivalent students of each eligible charter school to
 510 determine a capital outlay allocation per full-time equivalent
 511 student.

512 (c) Multiply the capital outlay allocation per full-time
 513 equivalent student by the total number of full-time equivalent
 514 students of each eligible charter school to determine the
 515 capital outlay allocation for each charter school.

516 (d) If applicable, reduce the capital outlay allocation
 517 identified in paragraph (c) by the total amount of state funds
 518 allocated to each eligible charter school in subsection (2) to
 519 determine the maximum calculated capital outlay allocation.

520 (e) School districts shall distribute capital outlay funds
 521 to eligible charter schools no later than February 1 of each
 522 year, as required by this subsection, based on the amount of
 523 funds received by the district school board. School districts

524 shall distribute any remaining capital outlay funds, as required
 525 by this subsection, upon the receipt of such funds until the
 526 total amount calculated pursuant to this subsection is
 527 distributed.

528
 529 By October 1 of each year, each school district shall certify to
 530 the department the amount of debt service and participation
 531 requirement that complies with the requirement of paragraph (a)
 532 and can be reduced from the total discretionary millage revenue.
 533 The Auditor General shall verify compliance with the
 534 requirements of paragraph (a) and s. 1011.71(2)(e) during
 535 scheduled operational audits of school districts.

536 Section 11. Paragraph (h) of subsection (1) of section
 537 1013.64, Florida Statutes, is amended to read:

538 1013.64 Funds for comprehensive educational plant needs;
 539 construction cost maximums for school district capital
 540 projects.—Allocations from the Public Education Capital Outlay
 541 and Debt Service Trust Fund to the various boards for capital
 542 outlay projects shall be determined as follows:

543 (1)

544 (h) University boards of trustees may utilize funds
 545 appropriated pursuant to this section for replacement of minor
 546 facilities ~~provided that such projects do not exceed \$1 million~~
 547 ~~in cost or 10,000 gross square feet in size.~~ Minor facilities
 548 may not be replaced from funds provided pursuant to this section

549 unless the board determines that the cost of repair or
 550 renovation is greater than or equal to the cost of replacement.

551 Section 12. Subsection (4) of section 1013.841, Florida
 552 Statutes, is amended to read:

553 1013.841 End of year balance of Florida College System
 554 institution funds.—

555 (4) A Florida College System institution identified in
 556 paragraph (3)(b) must include in its carry forward spending plan
 557 the estimated cost per planned expenditure and a timeline for
 558 completion of the expenditure. Authorized expenditures in a
 559 carry forward spending plan may include:

560 (a) Commitment of funds to a public education capital
 561 outlay project for which an appropriation was previously
 562 provided, which requires additional funds for completion, and
 563 which is included in the list required by s. 1001.03(18)(d);

564 (b) Completion of a renovation, repair, or maintenance
 565 project that is consistent with ~~the provisions of s. 1013.64(1)~~
 566 or replacement of a minor facility, up to \$5 million per
 567 project;

568 (c) Completion of a remodeling or infrastructure project,
 569 ~~up to \$10 million per project,~~ if such project is survey
 570 recommended pursuant to s. 1013.31;

571 (d) Completion of a repair or replacement project
 572 necessary due to damage caused by a natural disaster for
 573 buildings included in the inventory required pursuant to s.

574 1013.31;

575 (e) Operating expenditures that support the Florida
576 College System institution's mission ~~which are nonrecurring;~~

577 (f) Any purpose approved by the state board or specified
578 in the General Appropriations Act; and

579 (g) A commitment of funds to a contingency reserve for
580 expenses incurred as a result of a state of emergency declared
581 by the Governor pursuant to s. 252.36.

582 Section 13. This act shall take effect July 1, 2023.