

HB 33

2011

1 A bill to be entitled
2 An act relating to the allocation and expenditure of state
3 lottery revenues; amending s. 24.121, F.S.; requiring a
4 portion of Powerball net revenues to be allocated to
5 voluntary prekindergarten education programs; providing
6 for the use of funds; providing an effective date.

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

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10 Section 1. Subsection (5) of section 24.121, Florida
11 Statutes, is amended to read:

12 24.121 Allocation of revenues and expenditure of funds for
13 public education.—

14 (5)(a) Public educational programs and purposes funded by
15 the Educational Enhancement Trust Fund may include, but are not
16 limited to, endowment, scholarship, matching funds, direct
17 grants, research and economic development related to education,
18 salary enhancement, contracts with independent institutions to
19 conduct programs consistent with the state master plan for
20 postsecondary education, or any other educational program or
21 purpose deemed desirable by the Legislature. Prior to the
22 expenditure of these funds, each school district shall establish
23 policies and procedures that define enhancement and the types of
24 expenditures consistent with that definition.

25 (b) Except as provided in paragraphs (c), (d), ~~and~~ (e),
26 and (f), the Legislature shall equitably apportion moneys in the
27 trust fund among public schools, community colleges, and
28 universities.

29 (c) A portion of such net revenues, as determined annually
30 by the Legislature, shall be distributed to each school district
31 and shall be made available to each public school in the
32 district for enhancing school performance through development
33 and implementation of a school improvement plan pursuant to s.
34 1001.42(18). A portion of these moneys, as determined annually
35 in the General Appropriations Act, must be allocated to each
36 school in an equal amount for each student enrolled. These
37 moneys may be expended only on programs or projects selected by
38 the school advisory council or by a parent advisory committee
39 created pursuant to this paragraph. If a school does not have a
40 school advisory council, the district advisory council must
41 appoint a parent advisory committee composed of parents of
42 students enrolled in that school, which is representative of the
43 ethnic, racial, and economic community served by the school, to
44 advise the school's principal on the programs or projects to be
45 funded. Neither school district staff nor principals may
46 override the recommendations of the school advisory council or
47 the parent advisory committee. These moneys may not be used for
48 capital improvements or for any project or program that has a
49 duration of more than 1 year; however, a school advisory council
50 or parent advisory committee may independently determine that a
51 program or project formerly funded under this paragraph should
52 receive funds in a subsequent year.

53 (d) No funds shall be released for any purpose from the
54 Educational Enhancement Trust Fund to any school district in
55 which one or more schools do not have an approved school
56 improvement plan pursuant to s. 1001.42(18) or do not comply

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57 with school advisory council membership composition requirements
58 pursuant to s. 1001.452(1). The Commissioner of Education shall
59 withhold disbursements from the trust fund to any school
60 district that fails to adopt the performance-based salary
61 schedule required by s. 1012.22(1).

62 (e) All components of the Florida Bright Futures
63 Scholarship Program shall be funded annually from the
64 Educational Enhancement Trust Fund. Funds shall be allocated to
65 this program prior to application of the formula for equitable
66 distribution to public schools, community colleges, and state
67 universities. If shortages require reductions in estimated
68 distributions from the Educational Enhancement Trust Fund, funds
69 for the Florida Bright Futures Scholarship Program shall be
70 reduced only after reductions in all other distributions are
71 made.

72 (f) A portion of Powerball net revenues, as determined
73 annually by the Legislature, shall be distributed to enhance
74 voluntary prekindergarten education programs. Such funds shall
75 be allocated to each voluntary prekindergarten education program
76 in an equal amount for each student enrolled. Such funds must be
77 used for direct classroom expenditures and may not be used for
78 administrative costs.

79 (g)~~(f)~~ Each school district shall, on a quarterly basis,
80 make available to the public and distribute, in an easy to
81 understand format, the expenditures of lottery funds allocated
82 to the school district.

83 Section 2. This act shall take effect October 1, 2011.