

CHAPTER 98-225

House Bill No. 4491

An act relating to trust funds; creating the Florida School District Review Trust Fund, to be administered by the Office of Program Policy Analysis and Government Accountability; providing for source of funds; directing the office to use the trust fund to pay the cost of best financial management practices reviews; providing for refunds to school districts; providing for future review and termination or re-creation of the trust fund; providing for annual carryforward of funds; amending s. 230.23025, F.S.; providing for the deposit of funds from school districts; providing an effective date.

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

Section 1. The Florida School District Review Trust Fund is created, to be administered by the Office of Program Policy Analysis and Government Accountability (OPPAGA). Funds must be credited to the trust fund as provided by s. 230.23025, Florida Statutes, and as otherwise appropriated by the Legislature for the purposes set forth in that section.

Section 2. OPPAGA shall use the funds deposited in the trust fund to pay costs of conducting best financial management practices reviews, or reviews of components of the best practices, in school districts under s. 230.23025, Florida Statutes. Funds may be expended to pay the expenses of reviews conducted by OPPAGA, by the Auditor General, or by private consultants at the discretion of the director of OPPAGA. The expenses may include professional services, travel expenses of OPPAGA and the Auditor General, and any other necessary expenses incurred as part of a complete or component best practices review. OPPAGA may refund to a school district any portion of funds contributed by the school district that OPPAGA determines are not needed to conduct the complete or component best practices review requested by the district.

Section 3. (1) In accordance with s. 19(f)(2), Art. III of the State Constitution, the Florida School District Review Trust Fund, unless terminated sooner, is terminated on July 1, 2002.

(2) Before the regular legislative session immediately preceding the date on which the trust fund is scheduled to be terminated, OPPAGA shall recommend to the President of the Senate and the Speaker of the House of Representatives whether the trust fund should be allowed to terminate or should be re-created. If the trust fund is terminated by the Legislature, OPPAGA must pay any outstanding debts or obligations of the trust fund as soon as practicable, and the Comptroller must close out and remove the trust fund from the various state accounting systems, using generally accepted accounting practices concerning warrants outstanding, assets, and liabilities.

(3) Notwithstanding s. 216.301, Florida Statutes, and pursuant to s. 216.351, Florida Statutes, any balance in the trust fund at the end of any

fiscal year shall remain in the trust fund at the end of the year and be available for carrying out the purposes of the trust fund.

Section 4. Subsection (2) of section 230.23025, Florida Statutes, is amended to read:

230.23025 Best financial management practices; standards; reviews; designation of districts.—

(2) School districts may, by a unanimous vote of the membership of the school board, apply to OPPAGA for financial management practice reviews. OPPAGA shall prioritize districts for review based on their growth rates and demonstrated need for review. The director of OPPAGA may, at his or her discretion, contract with private consultants to perform part or all of the review of any district. Districts applying for review shall contribute 50 percent of review costs, unless funding for the entire cost of the review is specifically provided by the Legislature or the district has had a performance review pursuant to ss. 11.515 and 230.2302. All moneys contributed by any school district under this section toward the cost of a complete or component best financial management practices review of the district shall be deposited into the Florida School District Review Trust Fund administered by OPPAGA.

Section 5. This act shall take effect July 1, 1998.

Became a law without the Governor's approval May 24, 1998.

Filed in Office Secretary of State May 22, 1998.