

Senate Bill No. 28-A

An act relating to the Educational Enhancement Trust Fund; amending ss. 24.121 and 1010.70, F.S.; increasing amounts to be deposited into the Educational Enhancement Trust Fund; providing for construction of the act in pari materia with laws enacted during the Regular Session of the Legislature; providing an effective date.

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

Section 1. Subsection (2) of section 24.121, Florida Statutes, as amended by chapter 2003-1, Laws of Florida, is amended to read:

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

(2) Each fiscal year, at least ~~39~~ 38 percent of the gross revenue from the sale of on-line lottery tickets, variable percentages of the gross revenue from the sale of instant lottery tickets as determined by the department consistent with subsection (1), and other earned revenue, excluding application processing fees, shall be deposited in the Educational Enhancement Trust Fund, which is hereby created in the State Treasury to be administered by the Department of Education. The Department of the Lottery shall transfer moneys to the Educational Enhancement Trust Fund at least once each quarter. Funds in the Educational Enhancement Trust Fund shall be used to the benefit of public education in accordance with the provisions of this act. Notwithstanding any other provision of law, a maximum of \$180 million of lottery revenues transferred to the Educational Enhancement Trust Fund in fiscal year 1997-1998 and for 30 years thereafter shall be reserved as needed and used to meet the requirements of the documents authorizing the bonds issued by the state pursuant to s. 1013.68 or s. 1013.70 or distributed to school districts for the Classrooms First Program as provided in s. 1013.68. Such lottery revenues are hereby pledged to the payment of debt service on bonds issued by the state pursuant to s. 1013.68 or s. 1013.70. Debt service payable on bonds issued by the state pursuant to s. 1013.68 or s. 1013.70 shall be payable from the first lottery revenues transferred to the Educational Enhancement Trust Fund in each fiscal year. Amounts distributable to school districts that request the issuance of bonds pursuant to s. 1013.68(3) are hereby pledged to such bonds pursuant to s. 11(d), Art. VII of the State Constitution. The amounts distributed through the Classrooms First Program shall equal \$145 million in each fiscal year. These funds are intended to provide up to \$2.5 billion for public school facilities.

Section 2. Section 1010.70, Florida Statutes, is amended to read:

1010.70 Educational Enhancement Trust Fund.—Each fiscal year, at least ~~39~~ 38 percent of the gross revenue from the sale of lottery tickets, variable percentages of the gross revenue from the sale of instant lottery tickets as determined by the department, and other earned revenue, excluding application processing fees, shall be deposited in the Educational Enhancement Trust Fund as provided in s. 24.121.

Section 3. If any law that is amended by this act was also amended by a law enacted at the 2003 Regular Session of the Legislature, such laws shall be construed as if they had been enacted during the same session of the Legislature, and full effect should be given to each if that is possible.

Section 4. This act shall take effect July 1, 2003.

Approved by the Governor June 26, 2003.

Filed in Office Secretary of State June 26, 2003.