

2009 LEGISLATIVE ISSUE FORM

BOG ISSUE: Change in Fixed Capital Outlay Release Schedule



- **PROPOSED STATUTORY LANGUAGE:** -216.192 Release of appropriations; revision of budgets: (*Under Development*)
1. **Need for Change:** Currently, F.S. 216.192 requires that the fixed capital outlay release schedule established by the Executive Office of the Governor correspond with each project schedule. However, release of fixed capital outlay is not actually scheduled, and must be requested on an “as-needed” basis. This can result in funds being subject to reversion pursuant to 216.301 prior to being released for expenditure.
 2. **Current Condition:** Universities may not enter into any contracts for projects approved by the Legislature until the Commissioner of Education authorizes encumbrance of those funds in writing. In turn, the Commissioner may only authorize projects up to the amount of budget authority released by the Executive Office of the Governor. Due to these inherent limitations, funding is not immediately available July 1st of each year.
 3. **Effect of the Change:** This change would provide authority to enter into contracts for projects more quickly, allowing universities to achieve cost savings for from reduced delay and more timely provide critical educational plant to meet space needs of the higher education community.
 4. **Fiscal Impact:**
 5. **Justification for BOARD OF GOVERNOR’S Priority (if applicable):** Not applicable.
 6. **Link to BOG Strategic Plan:** This issue improves the ability of the Board of Governors in addressing the goals of its strategic plan by increasing the potential to provide adequate facilities for students, faculty, and staff.