



**MARYLIN C. BATISTA, GENERAL COUNSEL**  
**OFFICE OF THE GENERAL COUNSEL**  
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**DATE:** July 18, 2023

**TO:** Joris Jabouin, Chief Auditor  
Andrew Medvin, Chair – Audit Committee

**FROM:** Marylin C. Batista, General Counsel *M. Batista*

**SUBJECT: Audit Committee Request**  
**Audit-062323-02**

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**Topic:** MSD Funds / State Legislature

**Staff Follow-up:**

The Audit Committee to receive information on the \$25 million provided to the District by the State Legislature for MSD from the Office of the Chief Financial Officer. The Committee would also like the General counsel's position on any remaining funds and her legal opinion on how the money will be used and whether it must be used on MSD specific-items or schools. In addition, the Committee would like to know if there is a date certain for the use of the money.

**Response:**

Senate Bill 7026, Section 39 appropriated \$25,262,714 in non-recurring funds to the Department of Education for the purpose of replacing Building 12 at Marjory Stoneman Douglas High School. These specific appropriated funds to the District are categorical funds that may only be used for the specified purpose articulated in Senate Bill 7026 pursuant to §1011.62 and 6A-1.0141, F.A.C. There is no date certain for the use of the money, and any funds not expended in any given fiscal year are carried forward into the following fiscal year for the same specified purpose. Any use of these funds must have a logical nexus to the specified purpose as articulated by the legislature in Senate Bill 7026, unless additional legislative action is taken to expand the acceptable use of the funds. To the extent that any funds are not expended, the appropriated balances are potentially subject to reversion.

Thank you for bringing the Committee's concerns to the attention of the Office of the General Counsel.

MB/EWA:jcf

**C:** All School Board Members  
Dr. Peter B. Licata, Superintendent of Schools  
Dr. Valerie Wanza, Deputy Superintendent, Chief of Staff  
Judith Marte, Deputy Superintendent-Finance & Operations

Fritz/allwork/memo/committee memo-Audit 062323-027-18-2023