

Tab 1	CS/SB 164 by EN, Rodriguez ; Similar to H 01149 Vessel Accountability
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Tab 2	SB 166 by Simon ; Administrative Efficiency in Public Schools
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243396	A	S	RCS	FP, Simon	Delete L.1263:	03/27 03:31 PM
672844	A	S	RCS	FP, Simon	Delete L.1358 - 1362:	03/27 03:31 PM

Tab 3	CS/SB 438 by AG, Burton (CO-INTRODUCERS) Davis ; Similar to H 01597 Food and Hemp Products
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Tab 4	SB 472 by Truenow ; Similar to CS/H 00195 Education in Correctional Facilities for Licensed Professions
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752532	D	S	RCS	FP, Truenow	Delete everything after	03/27 03:30 PM
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Tab 5	SB 7024 by AP ; State Planning and Budgeting
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

FISCAL POLICY
Senator Gruters, Chair
Senator Osgood, Vice Chair

MEETING DATE: Thursday, March 27, 2025
TIME: 1:00—3:00 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Gruters, Chair; Senator Osgood, Vice Chair; Senators Arrington, Avila, Bernard, Boyd, Bradley, Burton, Calatayud, Davis, Gaetz, Ingoglia, Jones, Leek, Passidomo, Rodriguez, Simon, Truenow, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 164 Environment and Natural Resources / Rodriguez (Similar H 1149)	Vessel Accountability; Defining the term “vessel owner”; providing a penalty for a person anchoring, mooring, or allowing certain vessels to occupy the waters of this state if an officer of the Fish and Wildlife Conservation Commission or a law enforcement agency finds that specified conditions exist; requiring the commission to issue, at no cost, a permit for the long-term anchoring of a vessel which includes specified information; requiring the commission to use an electronic application and permitting system; requiring that a vessel subject to a specified number of violations within a 24-month period which result in certain dispositions be declared a public nuisance, etc. EN 03/03/2025 Fav/CS AEG 03/18/2025 Favorable FP 03/27/2025 Favorable	Favorable Yeas 18 Nays 0
2	SB 166 Simon	Administrative Efficiency in Public Schools; Exempting district school boards from requirements for adopting certain rules; deleting a requirement for a district school board to employ an internal auditor in certain circumstances; requiring innovation schools of technology to comply with specified provisions relating to instructional multiyear contracts, in addition to annual contracts, for instructional personnel in addition to annual contracts; revising requirements relating to district school board attendance policies for Voluntary Prekindergarten Education Programs; revising requirements for assessments needed for a student to earn a high school diploma; providing requirements for advanced degrees which may be used to set salary schedules for instructional personnel and school administrators hired after a specified date; revising eligibility requirements for individuals to participate in the Teacher Apprenticeship Program, etc. ED 03/03/2025 Favorable AED 03/11/2025 Favorable FP 03/27/2025 Fav/CS	Fav/CS Yeas 18 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Fiscal Policy

Thursday, March 27, 2025, 1:00—3:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	CS/SB 438 Agriculture / Burton (Similar H 1597, Compare H 601, S 334, S 1030)	Food and Hemp Products; Providing that a marijuana testing laboratory may acquire hemp and hemp extract only from certain businesses; revising requirements for the sale and distribution of hemp extract; prohibiting businesses or food establishments from possessing hemp or hemp extract products that are attractive to children; prohibiting a business permitted to sell hemp or hemp extract from being located in certain areas; providing a penalty for hemp extract possessed, manufactured, delivered, held, offered for sale, distributed, or sold by certain entities in violation of specified provisions, etc. AG 03/17/2025 Fav/CS FP 03/27/2025 Favorable	Favorable Yeas 18 Nays 0
4	SB 472 Truenow (Similar CS/H 195)	Education in Correctional Facilities for Licensed Professions; Requiring the Correctional Education Program to develop a plan in conjunction with the boards of professions regulated by the Department of Business and Professional Regulation for inmates to take classes for credit toward licensure requirements, etc. CJ 03/04/2025 Favorable ACJ 03/18/2025 Favorable FP 03/27/2025 Fav/CS	Fav/CS Yeas 18 Nays 0
5	SB 7024 Appropriations	State Planning and Budgeting; Revising the purpose of long-range program plans; requiring that long-range program plans cover a specified timeframe and remain in effect until replaced or adjusted as provided by specified provisions; requiring state agencies, the judicial branch, and the Division of Administrative Hearings to submit legislative budget requests before a specified date in each odd-numbered year and by a specified date in each even-numbered year; requiring state agencies and the judicial branch to maintain performance measures, outcomes, and standards, etc. FP 03/27/2025 Favorable	Favorable Yeas 18 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 164

INTRODUCER: Environment and Natural Resources Committee and Senator Rodriguez

SUBJECT: Vessel Accountability

DATE: March 26, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carroll</u>	<u>Rogers</u>	<u>EN</u>	Fav/CS
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	Favorable
3.	<u>Carroll</u>	<u>Siples</u>	<u>FP</u>	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 164 amends and creates statutes concerning vessel ownership, nuisance and derelict vessels, and anchoring and mooring practices.

The bill clarifies and expands the definition of a “vessel owner.” For vessels at risk of becoming derelict, the bill provides that if the owner or operator is present on the vessel, a law enforcement officer can immediately conduct a test of the vessel’s effective means of propulsion for safe navigation. The bill provides that a vessel will be declared a public nuisance if it is found to be at risk of becoming derelict three times within a 24-month period.

The bill creates a free long-term anchoring permit for vessel owners or operators who intend to anchor a vessel within one linear nautical mile of an anchorage point for 14 days or more within a 30-day period.

Regarding civil and criminal penalties, the bill:

- Adds violations relating to expired registration and long-term anchoring to the list of noncriminal violations that may be enforced by a uniform boating citation.
- Provides penalties for long-term anchoring violations.
- Increases penalties for subsequent violations of derelict vessel laws and makes residing or dwelling on a derelict vessel a criminal offense.

The bill also expands the Florida Fish and Wildlife Conservation Commission's (FWC) existing local government grant program to support the derelict vessel prevention and voluntary turn-in program.

The FWC will incur an insignificant fiscal impact in costs related to the issuance and enforcement of long-term anchoring registration required by the bill that can be absorbed within existing resources. **See Section V. Fiscal Impact Statement.**

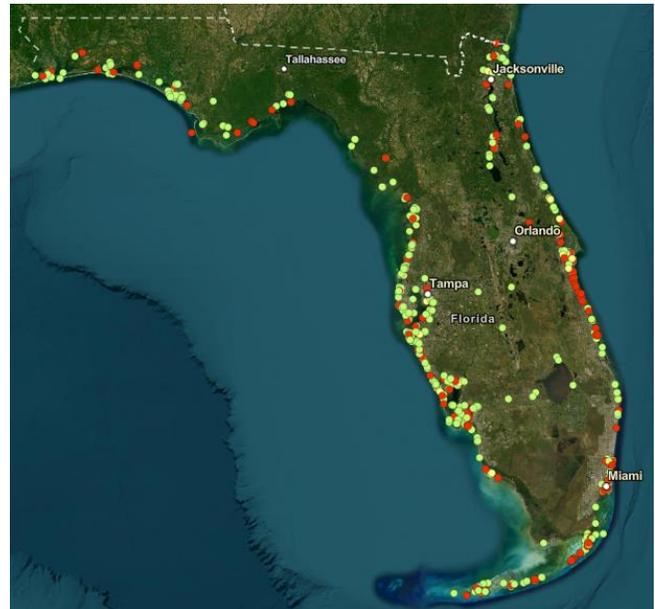
The bill has an effective date of July 1, 2025.

II. Present Situation:

Derelict Vessels

Derelict vessels can endanger marine life and habitats, threaten public safety, cause property damage, and create navigational hazards.¹ As of January 2025, there were 1,040 derelict vessels in the Florida Fish and Wildlife Conservation Commission's (FWC's) derelict vessel database.²

A derelict vessel is a vessel that is in a wrecked,³ junked,⁴ or substantially dismantled⁵ condition upon any public waters of this state;⁶ at a port in the state without the consent of the agency that has jurisdiction of the port; or docked, grounded, or beached on the property of another



This map shows the locations of derelict vessels and denotes the status of each vessel. *Map courtesy of FWC.*

¹ Atkins and Vogel Group, *Florida's Long-Term Stored Vessel Study*, 61 (Sept. 2023), available at <https://myfwc.com/media/longtermstoredvesselstudy.pdf>.

² FWC, *Derelict Vessels Presentation*, 2 (Feb. 4, 2025), available at https://www.flsenate.gov/Committees/Show/EN/MeetingPacket/6285/10953_MeetingPacket_6285.pdf; See the map on this page for the location and status of derelict vessels. FWC, *Derelict Vessels*, <https://experience.arcgis.com/experience/decfb6b7ca024ac98f6f900d86784d09?views=View-5> (last visited Feb. 20, 2025).

³ A vessel is wrecked if it is sunken or sinking; aground without the ability to extricate itself absent mechanical assistance; or remaining after a marine casualty, including, but not limited to, a boating accident, extreme weather, or a fire. Section 823.11(1)(b), F.S.

⁴ A vessel is junked if it has been substantially stripped of vessel components, if vessel components have substantially degraded or been destroyed, or if the vessel has been discarded by the owner or operator. Attaching an outboard motor to a vessel that is otherwise junked will not cause the vessel to no longer be junked if the motor is not an effective means of propulsion. Section 823.11(1)(b), F.S.

⁵ A vessel is substantially dismantled if at least two of the three following vessel systems or components are missing, compromised, incomplete, inoperable, or broken: the steering system, the propulsion system, or the exterior hull integrity. Attaching an outboard motor to a vessel that is otherwise substantially dismantled will not cause the vessel to no longer be substantially dismantled if the motor is not an effective means of propulsion. Section 823.11(1)(b), F.S.

⁶ "Waters of this state" are defined as any navigable waters of the United States within the territorial limits of this state, the marginal sea adjacent to this state, and the high seas when navigated as a part of a journey or ride to or from the shore of this state, and all the inland lakes, rivers, and canals under the jurisdiction of this state. Section 327.02(48), F.S.

without their consent.⁷ It is unlawful for a person, firm, or corporation to leave any derelict vessel on waters of this state.⁸

An FWC officer, or other law enforcement agency or officer⁹ is authorized to relocate, remove, and store a derelict vessel if it obstructs or might obstruct navigation or if it endangers property, persons, or the environment.¹⁰ Law enforcement officers who relocate, remove, and store a derelict vessel are protected from liability for damage to the vessel, unless the damage is the result of gross negligence or willful misconduct.¹¹

When a derelict vessel is docked, grounded, or beached on private property without the property owner's consent, the property owner may remove the vessel at the vessel owner's expense 60 days after providing written notice to the vessel owner.¹² The notice must be delivered in person or by certified mail and conspicuously posted at the marina and on the vessel.¹³

It is a first degree misdemeanor to leave a derelict vessel on waters of the state and a court may order the imposition of a civil penalty in addition to any sentence imposed for the first offense.¹⁴ A conviction will not bar the assessment and collection of a civil penalty.¹⁵ If the owner or responsible party has been convicted of leaving a derelict vessel on waters of the state, they are prohibited from residing or dwelling on the vessel until it is permanently removed.¹⁶ They may reside or dwell on the vessel if it is returned to waters of the state when it is no longer derelict.¹⁷

The average cost to remove a derelict vessel from waters of the state is \$750 per foot.¹⁸ The average length of derelict vessels removed is 32 feet. In 2020, the total cost of derelict vessel removal was almost \$2 million. That increased to almost \$5 million in 2021, to approximately \$6 million in 2022, to approximately \$7 million in 2023, and almost \$13 million in 2024.¹⁹

⁷ Section 823.11(1)(b), F.S.

⁸ Section 823.11(2), F.S. The term "leave" means to allow a vessel to remain occupied or unoccupied on waters of this state for more than 24 hours.

⁹ Law enforcement agencies or officers specified in section 327.70, F.S., include FWC's Division of Law Enforcement and its officers, sheriffs and their deputies, municipal police officers, and any other law enforcement officer defined in section 943.10, F.S. As defined in section 943.10(1), F.S., a law enforcement officer is any person elected, appointed, or employed full time by any municipality or the state or any political subdivision thereof who is vested with the authority to bear arms and make arrests and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state.

¹⁰ Section 823.11(3), F.S.

¹¹ *Id.*

¹² Section 823.11(5), F.S.

¹³ *Id.* These notice requirements are found in section 328.17(5), F.S.

¹⁴ Section 823.11(6), F.S.

¹⁵ *Id.*

¹⁶ Section 823.11(7), F.S.

¹⁷ *Id.*

¹⁸ FWC, *Derelict Vessels Presentation*, 9 (Feb. 5, 2025), available at https://www.flsenate.gov/Committees/Show/AEG/MeetingPacket/6293/10975_MeetingPacket_6293_2.pdf.

¹⁹ *Id.*

Vessels at Risk of Becoming Derelict

To prevent neglected or deteriorating vessels from reaching a likely and foreseeable state of disrepair, a vessel that is at risk of becoming derelict may not be present on waters of this state.²⁰

A vessel may be determined to be at risk of becoming derelict if any of the following conditions exist:

- The vessel is taking on or has taken on water without an effective means to dewater;
- Spaces on the vessel that are designed to be enclosed are incapable of being sealed off or remain open to the elements for extended periods of time;
- The vessel has broken loose or is in danger of breaking loose from its anchor;
- The vessel is listing due to water intrusion;
- The vessel does not have an effective means of propulsion for safe navigation within 72 hours after the vessel owner or operator receives notice;²¹ or
- The vessel is tied to an unlawful or unpermitted structure or mooring.²²

If a vessel does not have an effective means of propulsion, a vessel owner or operator may provide a receipt, proof of purchase, or other documentation showing that the parts necessary to repair the vessel have been ordered.²³

It is a noncriminal infraction to anchor or moor a vessel at risk of becoming derelict on waters of the state, which is punishable by a civil penalty that increases for subsequent violations.²⁴ A first offense results in a \$100 fine, a second offense that occurs at least 30 days after the first results in a \$250 fine, and a third or subsequent offense that occurs at least 30 days after the previous offense results in a \$500 fine.²⁵

A law enforcement officer may relocate a vessel that is at risk of becoming derelict to a distance greater than 20 feet from mangroves or upland vegetation and is protected from liability for damages caused by relocating the vessel, unless the damage is the result of gross negligence or willful conduct.²⁶

Vessels Declared to be a Public Nuisance

If a vessel is the subject of three or more violations issued because of the same condition of being at risk of becoming derelict within an 18-month period, the vessel may be declared a public nuisance.²⁷ Law enforcement officers may relocate or remove public nuisance vessels

²⁰ Section 327.4107(1), F.S.

²¹ Notice may be telephonic, in-person recorded on an agency-approved body camera, or written and provided by facsimile, electronic mail, or other electronic means. Section 327.4107(2), F.S.

²² *Id.*

²³ *Id.*

²⁴ Section 327.4107(3), F.S.; section 327.73(1)(aa), F.S.

²⁵ Section 327.73(1)(aa), F.S.

²⁶ Section 327.4107(5), F.S.

²⁷ Section 327.73(1), F.S.

from waters of the state and are protected from liability for damage to the vessel, unless the damage is the result of gross negligence or willful misconduct.²⁸

Derelict and Public Nuisance Vessel Removal Procedure

If a law enforcement officer ascertains that a derelict vessel or a vessel declared a public nuisance is present on waters of the state, the officer must place a notice on the vessel stating that the vessel must be removed by the owner within 21 days.²⁹ The notice must inform the owner or interested parties that they have the right to a hearing to challenge the determination that the vessel is derelict or otherwise in violation of the law. It must also give notice that if the vessel is not removed by the owner, then the owner or responsible party will be liable for the costs of removal, destruction, and disposal.³⁰

In addition to posting the notice on the vessel, the law enforcement officer must also mail a copy of the notice to the owner, if the officer is able to determine the owner's name and address after reasonable efforts.³¹ If the owner or any interested person has not removed the vessel or requested a hearing within 21 days of the notice being posted and mailed, the law enforcement agency or its designee may:

- Remove, destroy, and dispose of the vessel or authorize another governmental entity or its designee to do so; or
- Authorize the vessel's use as an artificial reef if all necessary authorizations are received.³²

The owner or responsible party who does not remove the derelict or public nuisance vessel from waters of the state following the receipt of notice will be liable for all costs of removal, storage, destruction, and disposal of the vessel, less any salvage value.³³ The owner or responsible party who refuses to pay these costs will not be issued a certificate of registration for the derelict or public nuisance vessel or any other vessel.³⁴

Derelict Vessel Prevention Programs

The FWC is authorized to establish a derelict vessel prevention program to address vessels at risk of becoming derelict.³⁵ The program is not required to, but may include:

- Removing, relocating, and destroying vessels declared a public nuisance, derelict or at risk of becoming derelict, or lost or abandoned;
- Creating a vessel turn-in program that allows the owner of a vessel at risk of becoming derelict to turn over their vessel and title to the FWC to be destroyed without penalty;
- Removing and destroying abandoned vessels;

²⁸ *Id.* Gross negligence is defined as "conduct so reckless or wanting in care that it constitutes a conscious disregard or indifference to the safety of the property exposed to such conduct." Willful misconduct is defined as "conduct evidencing carelessness or negligence of such a degree or recurrence as to manifest culpability, wrongful intent, or evil design or to show an intentional and substantial disregard of the interests of the vessel owner." Section 823.11(1)(c) and (d), F.S.

²⁹ Section 705.103(2)(a)1.b., F.S.

³⁰ *Id.*

³¹ Section 705.103(2)(a)2., F.S.

³² *Id.*

³³ Section 705.103(4), F.S.

³⁴ *Id.*

³⁵ Section 327.4107(7), F.S.

- Purchasing anchor lines, anchors, and other equipment to secure vessels at risk of becoming derelict; and
- Creating or acquiring moorings designated for securing vessels at risk of becoming derelict.³⁶

Pursuant to this authorization, the FWC established the Florida Vessel Turn-In Program, which allows vessel owners who have received a written citation or warning that their vessel is at risk to have the vessel removed, destroyed, and disposed of at no cost to the owner.³⁷

Removal of vessels eligible for the Vessel Turn-In Program and local government efforts to remove derelict and public nuisance vessels are funded by grants from the FWC.³⁸

Florida Anchoring Practices

The FWC's Long-Term Stored Vessel Study found that a correlation exists between the number of "long-term stored vessels" and the incidence of derelict vessels.³⁹ The study was unable to conclude the extent to which long-term stored vessels contribute to the number of derelict vessels because of the absence of tracking data.⁴⁰ As part of the study, the FWC identified 691 popular overnight anchoring locations.⁴¹ Of these unmanaged anchoring areas, 319 were used primarily for long-term storage, 243 were used primarily by transient cruising vessels for short overnight stays, and 129 were used for an indeterminate mixture of storage and cruising.⁴²



A photo taken at the Dinner Key and Coconut Grove Sailing Club mooring fields. Vessels can be seen anchored outside of the mooring field. *Photo from the Long-Term Stored Vessel Study.*

³⁶ *Id.*

³⁷ FWC, *Florida Vessel Turn-In Program*, <https://myfwc.com/boating/waterway/vtip/> (last visited Feb. 20, 2025).

³⁸ *Id.*; FWC, *Derelict Vessel Removal Grant Program*, <https://myfwc.com/boating/grants-programs/derelict-vessel/> (last visited Feb. 20, 2025).

³⁹ Atkins and Vogel Group, *Florida's Long-Term Stored Vessel Study* at 129. A long-term stored vessel is a vessel on waters of the state which is not under the supervision and control of a person capable of operating, maintaining, or moving it from one location to another and which has remained anchored or moored outside of a public mooring field for at least 30 days out of a 60-day period. *Id.* at 136.

⁴⁰ *Id.* at 129.

⁴¹ *Id.* at 48.

⁴² *Id.* The photo on this page can be found on page 60 of the *Long-Term Stored Vessel Study*.

Georgia’s Long-Term Anchoring Permit

In 2020, the Georgia General Assembly passed HB 833, which prohibited long-term anchoring in estuarine areas of the state without having first obtained a long-term anchoring permit.⁴³ “Estuarine areas” are all tidally influenced waters, marshes, and marshlands lying within a tide-elevation range from 5.6 feet above mean tide level and below.⁴⁴ Additionally, the Georgia code defines “long-term anchoring” as anchoring a vessel within a mile radius of a documented anchoring point where a vessel is anchored for over 14 cumulative days in a calendar year.⁴⁵

III. Effect of Proposed Changes:

Section 1 amends s. 327.02, F.S., to clarify the definition of an owner. Current law defines an “owner” as a person, other than a lienholder, having the property in or title to a vessel. This includes a person entitled to the use or possession of a vessel subject to an interest in another person, which is reserved or created by agreement and securing payment of performance of an obligation. The term does not include a lessee under a lease not intended as security.

The bill revises the term “owner” to specify that the definition is for a “vessel owner.” The bill also adds the following persons to the definition above:

- A person identified in the records of the Department of Highway Safety and Motor Vehicles (DMV), or other state equivalent, as the title certificate holder of the vessel.
- A person identified as the buyer, transferee, or new owner in a notice filed with the DMV of the transfer of all or part of a person’s interest in a vessel or of the destruction or abandonment of a vessel.⁴⁶
- A person who has signed a written agreement for the purchase and sale of the vessel and paid the consideration, if any, required under the agreement.
- A person who has provided a written, signed receipt to the seller or transferor of the vessel acknowledging actual receipt and possession of the vessel.

Section 2 amends s. 327.4107, F.S., concerning vessels that are at risk of becoming derelict on waters of the state. The bill authorizes a law enforcement officer to require a test of a vessel’s effective means of propulsion for safe navigation to be conducted immediately if the owner or operator is present on the vessel. The bill provides that if the owner or operator is not present on the vessel, the owner or operator must conduct the test for effective means of propulsion in the presence of law enforcement within 48 hours of receiving notice. The bill shortens this deadline from the current requirement of 72 hours.

Current law specifies that notice stating a vessel lacks an effective means of propulsion must be telephonic notice, in-person notice recorded on an agency-approved body camera, or written notice, which may be provided by facsimile, electronic mail, or other electronic means. The bill reduces this requirement to “notice from a law enforcement officer.”

⁴³ Georgia General Assembly, *HB 833*, <https://www.legis.ga.gov/legislation/56927> (last visited Feb. 20, 2025); O.C.G.A. §52-7-8.4.

⁴⁴ O.C.G.A. §52-7-8.4.

⁴⁵ *Id.*

⁴⁶ This notice is filed pursuant to section 328.64(1), F.S.

Section 3 creates s. 327.4111, F.S., to require vessel owners or operators to obtain a long-term, no-cost anchoring permit when engaging in long-term anchoring. A permit will be required for long-term anchoring beginning on January 1, 2026.

The bill defines “long-term anchoring” as anchoring a vessel within one linear nautical mile of a documented anchorage point for 14 days or more within a 30-day period.

The bill requires the Florida Fish and Wildlife Conservation Commission (FWC) to issue a free permit for long-term anchoring on waters of the state. The bill requires the permit to include all of the following information of the vessel owner or operator:

- Name.
- Mailing address.
- Telephone number.
- Email address.
- Birth date.
- Driver’s license number, if applicable.

The bill requires the permit to include all of the following information on the vessel itself:

- Make.
- Model.
- Year.
- Style.
- Hull identification number.
- Registration number or U.S. Coast Guard documentation, if applicable.
- Vessel name, if applicable.

The permit also must include information regarding the location where the vessel will be anchored. It must also provide notice that the permit may be revoked if the vessel is derelict, is at risk of becoming derelict, or is in violation of marine sanitation provisions.

The bill allows a person to obtain more than one permit; however each permit is specific to one vessel. A permit must be renewed or updated for each long-term anchoring location and will expire one year from its date of issuance. The bill provides that a permit may be revoked if the permitted vessel is derelict, at risk of becoming derelict, or is operated or occupied on waters of the state in violation of marine sanitation laws.⁴⁷

A long-term anchoring permit is not required if a vessel is docked at a public or private dock or moored to a permitted mooring buoy. The following vessels are exempt from long-term permitting requirements:

- Vessels owned or operated by a governmental entity for law enforcement, firefighting, military, or rescue purposes;
- Construction or dredging vessels on an active job site;
- Vessels actively engaged in commercial fishing; and

⁴⁷ Marine sanitation laws are found in section 327.53, F.S.

- Vessels engaged in recreational fishing if the persons onboard are actively tending hook and line fishing gear or nets.

The bill provides that a person who engages in long-term anchoring without a valid permit commits a noncriminal infraction, punishable as provided in **Section 5** of the bill.

The bill requires the FWC to use an electronic application and permitting system in implementing the long-term anchoring permit program. It also clarifies that the long-term anchoring permit requirements do not supersede any other anchoring limitations established pursuant to law.

The bill authorizes the FWC to adopt rules to implement the long-term anchoring permit program.

Section 4 amends provisions of s. 327.70, F.S., concerning noncriminal violations of vessel laws in chs. 327 and 328, F.S. The bill provides that the following noncriminal violations may be enforced by a uniform boating citation mailed to the registered owner of an unattended vessel anchored, aground, or moored on waters of the state:

- Operating, using, or storing a vessel with an expired registration on waters of the state; and
- Anchoring a vessel within one linear nautical mile of a documented anchorage point for 14 or more days within a 30-day period without a long-term anchoring permit.

The bill clarifies that the uniform boating citation may be issued to the *owner or operator* of a vessel engaged in unlawful long-term anchoring.

Section 5 amends s. 327.73, F.S., concerning noncriminal infractions. Current law provides that a vessel will be declared a public nuisance if it is the subject of three or more violations issued because of the same condition of being at risk of becoming derelict within an 18-month period.⁴⁸ The bill removes the limitation that the violations must be issued pursuant to the same condition and extends the time during which the violations must occur to 24 months. The bill also adds that failure to appear at a hearing or failure to pay the civil penalty is categorized as a disposition other than acquittal or dismissal, unless it is excused or set aside by the court for good cause shown.

The bill provides that a violation of s. 327.4111, F.S., relating to long-term anchoring, is a noncriminal infraction for which the penalty is:

- Up to \$100 for a first offense;
- Up to \$250 for a second offense; and
- Up to \$500 for a third or subsequent offense.

⁴⁸ The conditions used to determine whether a vessel is at risk of becoming derelict are as follows: the vessel is taking on or has taken on water without an effective means to dewater; spaces on the vessel designed to be enclosed are incapable of being sealed or remain open to the elements for extended periods of time; the vessel has broken loose or is in danger of breaking loose from its anchor; the vessel is listing due to water intrusion; and the vessel does not have an effective means of propulsion for safe navigation. Section 327.4107(2), F.S.

The bill provides that a vessel that is the subject of three or more violations of engaging in long-term anchoring without a permit within a 24-month period, which all result in dispositions other than acquittal or dismissal, must be declared a public nuisance and subject to removal or disposal. Failure to appear at a hearing or to pay the required civil penalty⁴⁹ is categorized as a disposition other than acquittal or dismissal, unless it is excused or set aside by the court for good cause shown.

The bill ensures that the FWC or a law enforcement officer may relocate or remove public nuisance vessels or cause public nuisance vessels to be relocated or removed from waters of the state. Law enforcement will not be held responsible for damages to the vessel resulting from relocation or removal, unless the damage is the result of gross negligence or willful misconduct.⁵⁰

Section 6 amends s. 705.103, F.S., to clarify that, for the purposes of the procedure for lost or abandoned property, the term “owner” has the same meaning as “vessel owner” as defined in **Section 1** of the bill. The bill makes technical changes.

Section 7 amends s. 823.11, F.S., relating to the relocation or removal of derelict vessels. The bill clarifies that, for the purposes of this section, an “owner” is a “vessel owner” as defined in **Section 1** of the bill, and it makes changes consistent with the amended definition.

The bill also provides that the title of a derelict vessel is prima facie evidence of ownership for any derelict vessel left on waters of the state. An owner who attempts to transfer ownership of a vessel through means other than the process outlined in law will not be exonerated from the responsibility of having a derelict vessel on waters of the state without a written agreement of ownership by the transferee or evidence of agreement to transfer ownership to the transferee and the exchange of consideration between the parties.

The bill expands the scope of the FWC’s local government grant program that funds derelict vessel removal and disposal. The grant program will support the FWC’s derelict vessel prevention program.

The bill creates increasing penalties for subsequent violations of s. 823.11, F.S., relating to leaving a derelict vessel on waters of the state. Current law provides that a first offense will result in a first degree misdemeanor. The bill adds that a second offense will result in a third degree felony and a third or subsequent offense will result in a second degree felony.

The bill also creates a first degree misdemeanor offense for residing or dwelling on a vessel determined to be derelict. The vessel’s derelict status must be determined by disposition of a court or administrative order or remain unchallenged.⁵¹ This offense is punishable by

⁴⁹ The civil penalty is required by section 327.72, F.S., which provides that any person failing to comply with the provisions of chapter 327, F.S., or not paying the civil penalty specified in s. 327.73, F.S., within 30 days, except as otherwise provided in chapters 327 or 328, F.S., commits a misdemeanor of the second degree, punishable as provided in sections 775.082 or 775.083, F.S.

⁵⁰ Gross negligence and willful misconduct are defined in section 823.11(1)(c) and (d), F.S. See footnote 28 for definitions of these two terms.

⁵¹ The derelict determination may be challenged pursuant to chapter 120, F.S., relating to administrative procedure.

imprisonment of up to one year. The bill provides that law enforcement officers have the power and duty to issue orders, perform investigations, complete reports, and perform arrests to enforce this provision. The bill authorizes the FWC to adopt implementing rules.

Sections 8 and 9 reenact ss. 327.04 and 327.4108, F.S., relating to rules and anchoring of vessels in anchoring limitation areas, respectively, to incorporate an amendment made by this bill to s. 823.11, F.S.

Section 10 reenacts s. 327.54(3)(d), F.S., relating to liveries, safety regulations, and penalties to incorporate amendments made by this bill to ss. 327.4107 and 823.11, F.S.

Section 11 reenacts s. 705.101(1), F.S., relating to definitions, to incorporate an amendment made by this bill to s. 327.73, F.S.

Sections 12 and 13 reenact ss. 705.104(1) and 713.585(8), F.S., relating to the title to lost or abandoned property and the enforcement of a lien by sale of a motor vehicle, respectively, to incorporate an amendment made by this bill to s. 705.103, F.S.

Section 14 provides that, except as otherwise provided by the bill, the bill will take effect July 1, 2025.⁵²

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

⁵² Section 327.4111, F.S., which creates the long-term anchoring permit program, will take effect on January 1, 2026.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Florida Fish and Wildlife Conservation Commission will incur an insignificant fiscal impact in costs related to the issuance and enforcement of long-term anchoring registration required by the bill that can be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 327.02, 327.4107, 327.70, 327.73, 705.103, and 823.11.

This bill creates section 327.4111 of the Florida Statutes.

This bill reenacts the following sections of the Florida Statutes: 327.04, 327.4108, 327.54, 705.101, 705.104, and 713.585.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environment and Natural Resources on March 3, 2025:

- Requires the Florida Fish and Wildlife Conservation Commission to use an electronic application and permitting system in implementing the long-term anchoring permit program created by the bill.
- Clarifies that the long-term anchoring permit requirements do not supersede any other anchoring limitations established pursuant to law.
- Makes a technical change to fix a drafting error

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Environment and Natural Resources; and
 Senator Rodriguez

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1 A bill to be entitled
 2 An act relating to vessel accountability; amending s.
 3 327.02, F.S.; deleting the term "owner"; defining the
 4 term "vessel owner"; reenacting and amending s.
 5 327.4107, F.S.; providing a penalty for a person
 6 anchoring, mooring, or allowing certain vessels to
 7 occupy the waters of this state if an officer of the
 8 Fish and Wildlife Conservation Commission or a law
 9 enforcement agency finds that specified conditions
 10 exist; revising the manner and timeframe for vessel
 11 owners or operators to demonstrate a vessel's
 12 effective means of propulsion for safe navigation;
 13 deleting provisions providing a penalty for a person
 14 who anchors or moors certain vessels on the waters of
 15 this state; creating s. 327.4111, F.S.; defining the
 16 term "long-term anchoring"; requiring the commission
 17 to issue, at no cost, a permit for the long-term
 18 anchoring of a vessel which includes specified
 19 information; providing construction; providing a
 20 penalty for long-term anchoring without a permit;
 21 providing applicability; providing that a permit is
 22 not required under certain circumstances; requiring
 23 the commission to use an electronic application and
 24 permitting system; clarifying that certain provisions
 25 do not supersede any other anchoring limitations
 26 established pursuant to law; authorizing the
 27 commission to adopt rules; amending s. 327.70, F.S.;
 28 authorizing the enforcement of certain noncriminal
 29 violations by citation mailed or issued to the owner

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30 of certain vessels; amending s. 327.73, F.S.;
 31 requiring that a vessel subject to a specified number
 32 of violations within a 24-month period which result in
 33 certain dispositions be declared a public nuisance;
 34 providing that failure to appear at a hearing or
 35 failure to pay civil penalties constitutes a certain
 36 disposition; providing penalties related to long-term
 37 anchoring; requiring that a vessel subject to a
 38 specified number of violations relating to long-term
 39 anchoring within a 24-month period which result in
 40 certain dispositions be declared a public nuisance;
 41 providing that failure to appear at a hearing or
 42 failure to pay a certain civil penalty constitutes a
 43 disposition other than acquittal or dismissal;
 44 providing an exception; authorizing certain persons to
 45 relocate, remove, or cause to be relocated or removed
 46 certain vessels; requiring that certain persons be
 47 held harmless for all damages to a vessel resulting
 48 from such relocation or removal; providing exceptions;
 49 amending s. 705.103, F.S.; revising the notice placed
 50 upon a derelict vessel declared a public nuisance
 51 which is present upon the waters of this state;
 52 deleting a provision specifying that a party
 53 responsible for a derelict vessel or a vessel declared
 54 a public nuisance has the right to a certain hearing;
 55 deleting provisions assigning liability to a party
 56 deemed legally responsible for a derelict vessel or
 57 vessel declared a public nuisance; deleting provisions
 58 allowing a law enforcement officer or a representative

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59 of a law enforcement agency or other governmental
 60 entity to notify a party deemed legally responsible
 61 for a derelict vessel or a vessel declared a public
 62 nuisance of the final disposition of the derelict
 63 vessel; reenacting and amending s. 823.11, F.S.;
 64 prohibiting a vessel owner from leaving a derelict
 65 vessel upon the waters of this state; deleting
 66 provisions related to a party responsible for a
 67 derelict vessel; providing prima facie evidence of
 68 ownership or control of a derelict vessel left upon
 69 the waters of this state; providing a means of
 70 exonerating an owner of a vessel or derelict vessel of
 71 responsibility if such owner attempts to transfer
 72 ownership or control of such vessel; providing that
 73 the owner of a derelict vessel is exclusively
 74 responsible for all costs associated with the
 75 relocation, removal, storage, destruction, or disposal
 76 of the derelict vessel; authorizing the commission to
 77 use grant funds allocated for the removal, storage,
 78 destruction, and disposal of derelict vessels from the
 79 waters of this state for the derelict vessel
 80 prevention program; providing penalties; prohibiting a
 81 person from dwelling or residing on a derelict vessel;
 82 providing penalties; authorizing law enforcement
 83 officers to enforce such provisions; authorizing a
 84 person to reside on a vessel if the vessel is in a
 85 state or condition that is no longer derelict;
 86 authorizing the commission to adopt rules; reenacting
 87 ss. 327.04 and 327.4108(6)(d), F.S., relating to rules

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88 and the anchoring of vessels in anchoring limitation
 89 areas, respectively, to incorporate the amendment made
 90 to s. 832.11, F.S., in references thereto; reenacting
 91 s. 327.54(3)(d), F.S., relating to liveries, safety
 92 regulations, and penalties, to incorporate the
 93 amendments made to ss. 327.4107 and 823.11, F.S., in
 94 references thereto; reenacting s. 705.101(1), F.S.,
 95 relating to definitions, to incorporate the amendment
 96 made to s. 327.73, F.S., in a reference thereto;
 97 reenacting ss. 705.104(1) and 713.585(8), F.S.,
 98 relating to the title to lost or abandoned property
 99 and the enforcement of a lien by sale of motor
 100 vehicle, respectively, to incorporate the amendment
 101 made to s. 705.103, F.S., in references thereto;
 102 providing effective dates.

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

106 Section 1. Subsections (35) through (47) of section 327.02,
 107 Florida Statutes, are amended to read:

108 327.02 Definitions.—As used in this chapter and in chapter
 109 328, unless the context clearly requires a different meaning,
 110 the term:

111 (35) ~~“Owner” means a person, other than a lienholder,~~
 112 ~~having the property in or title to a vessel. The term includes a~~
 113 ~~person entitled to the use or possession of a vessel subject to~~
 114 ~~an interest in another person which is reserved or created by~~
 115 ~~agreement and securing payment of performance of an obligation.~~
 116 ~~The term does not include a lessee under a lease not intended as~~

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117 ~~security.~~

118 ~~(36)~~ "Person" means an individual, partnership, firm,
 119 corporation, association, or other entity.

120 ~~(36)~~~~(37)~~ "Personal watercraft" means a vessel less than 16
 121 feet in length which uses an inboard motor powering a water jet
 122 pump as its primary source of motive power and which is designed
 123 to be operated by a person sitting, standing, or kneeling on the
 124 vessel, rather than in the conventional manner of sitting or
 125 standing inside the vessel.

126 ~~(37)~~~~(38)~~ "Portable toilet" means a device consisting of a
 127 lid, seat, containment vessel, and support structure which is
 128 specifically designed to receive, retain, and discharge human
 129 waste and which is capable of being removed from a vessel by
 130 hand.

131 ~~(38)~~~~(39)~~ "Prohibited activity" means activity that will
 132 impede or disturb navigation or creates a safety hazard on
 133 waterways of this state.

134 ~~(39)~~~~(40)~~ "Racing shell," "rowing scull," or "racing kayak"
 135 means a manually propelled vessel that is recognized by national
 136 or international racing associations for use in competitive
 137 racing and in which all occupants, with the exception of a
 138 coxswain, if one is provided, row, scull, or paddle and that is
 139 not designed to carry and does not carry any equipment not
 140 solely for competitive racing.

141 ~~(40)~~~~(41)~~ "Recreational vessel" means a vessel:

142 (a) Manufactured and used primarily for noncommercial
 143 purposes; or

144 (b) Leased, rented, or chartered to a person for his or her
 145 noncommercial use.

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146 ~~(41)~~~~(42)~~ "Registration" means a state operating license on
 147 a vessel which is issued with an identifying number, an annual
 148 certificate of registration, and a decal designating the year
 149 for which a registration fee is paid.

150 ~~(42)~~~~(43)~~ "Resident" means a citizen of the United States
 151 who has established residence in this state and has continuously
 152 resided in this state for 1 year and in one county for the 6
 153 months immediately preceding the initiation of a vessel titling
 154 or registration action.

155 ~~(43)~~~~(44)~~ "Sailboat" means a vessel whose sole source of
 156 propulsion is the wind.

157 ~~(44)~~~~(45)~~ "Sustained wind speed" means a wind speed
 158 determined by averaging the observed wind speed rounded up to
 159 the nearest mile per hour over a 2-minute period.

160 ~~(45)~~~~(46)~~ "Unclaimed vessel" means an undocumented vessel,
 161 including its machinery, rigging, and accessories, which is in
 162 the physical possession of a marina, garage, or repair shop for
 163 repairs, improvements, or other work with the knowledge of the
 164 vessel owner and for which the costs of such services have been
 165 unpaid for more than 90 days after the date written notice of
 166 the completed work is given by the marina, garage, or repair
 167 shop to the vessel owner.

168 ~~(46)~~~~(47)~~ "Vessel" is synonymous with boat as referenced in
 169 s. 1(b), Art. VII of the State Constitution and includes every
 170 description of watercraft, barge, and airboat, other than a
 171 seaplane on the water, used or capable of being used as a means
 172 of transportation on water.

173 (47) "Vessel owner" means a person, other than a lienholder
 174 or lessee under a lease that is not intended as security, having

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175 the property in or title to a vessel. The term includes all of
 176 the following:

177 (a) A person entitled to the use or possession of a vessel
 178 subject to an interest in another person which is reserved or
 179 created by agreement and securing payment of performance of an
 180 obligation. The term does not include a lessee under a lease not
 181 intended as security.

182 (b) A person identified in the records of the Department of
 183 Highway Safety and Motor Vehicles, or other state equivalent, as
 184 the title certificate holder of the vessel.

185 (c) A person identified as the buyer, transferee, or new
 186 owner in a notice filed pursuant to s. 328.64(1).

187 (d) A person who has signed a written agreement for the
 188 purchase and sale of the vessel and paid the consideration, if
 189 any, required under the agreement.

190 (e) A person who has provided a written, signed receipt to
 191 the seller or transferor of the vessel acknowledging actual
 192 receipt and possession of the vessel.

193 Section 2. Subsections (2) and (3) of section 327.4107,
 194 Florida Statutes, are amended, and paragraph (a) of present
 195 subsection (7) of that section is reenacted, to read:

196 327.4107 Vessels at risk of becoming derelict on waters of
 197 this state.—

198 (2) It is a noncriminal infraction punishable as provided
 199 in s. 327.73 for a person to anchor or moor ~~an officer of the~~
 200 ~~commission or of a law enforcement agency specified in s. 327.70~~
 201 ~~may determine that a vessel is~~ at risk of becoming derelict on
 202 the waters of this state or to allow such vessel to occupy such
 203 waters. A vessel is at risk of becoming derelict if, as

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204 determined by an officer of the commission or a law enforcement
 205 agency, ~~if~~ any of the following conditions exist:

206 (a) The vessel is taking on or has taken on water without
 207 an effective means to dewater.

208 (b) Spaces on the vessel which ~~that~~ are designed to be
 209 enclosed are incapable of being sealed off or remain open to the
 210 elements for extended periods of time.

211 (c) The vessel has broken loose or is in danger of breaking
 212 loose from its anchor.

213 (d) The vessel is listing due to water intrusion.

214 (e) The vessel does not have an effective means of
 215 propulsion, and the vessel owner or operator is unable to
 216 provide a receipt, proof of purchase, or other documentation of
 217 having ordered necessary parts for repair. If the owner or
 218 operator is present on the vessel, a law enforcement officer may
 219 require a test of the vessel's effective means of propulsion for
 220 safe navigation, to be conducted immediately. If the owner or
 221 operator is not present on the vessel, the owner or operator
 222 must, in the presence of law enforcement, conduct the test for
 223 effective means of propulsion for safe navigation within ~~48~~ 72
 224 hours after the vessel owner or operator receives ~~telephonic~~
 225 notice ~~from a law enforcement officer, in-person notice recorded~~
 226 ~~on an agency-approved body camera, or written notice, which may~~
 227 ~~be provided by facsimile, electronic mail, or other electronic~~
 228 ~~means, stating such from an officer, and the vessel owner or~~
 229 ~~operator is unable to provide a receipt, proof of purchase, or~~
 230 ~~other documentation of having ordered necessary parts for vessel~~
 231 repair. The commission may adopt rules to implement this
 232 paragraph.

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233 (f) The vessel is tied to an unlawful or unpermitted
234 structure or mooring.

235 ~~(3) A person who anchors or moors a vessel at risk of~~
236 ~~becoming derelict on the waters of this state or allows such a~~
237 ~~vessel to occupy such waters commits a noncriminal infraction,~~
238 ~~punishable as provided in s. 327.73.~~

239 ~~(6)(7)~~ The commission may establish a derelict vessel
240 prevention program to address vessels at risk of becoming
241 derelict. Such program may, but is not required to, include:

242 (a) Removal, relocation, and destruction of vessels
243 declared a public nuisance, derelict or at risk of becoming
244 derelict, or lost or abandoned in accordance with s. 327.53(7),
245 s. 327.73(1)(aa), s. 705.103(2) and (4), or s. 823.11(3).
246

247 The commission may adopt rules to implement this subsection.
248 Implementation of the derelict vessel prevention program shall
249 be subject to appropriation by the Legislature and shall be
250 funded by the Marine Resources Conservation Trust Fund or the
251 Florida Coastal Protection Trust Fund.

252 Section 3. Effective January 1, 2026, section 327.4111,
253 Florida Statutes, is created to read:

254 327.4111 Long-term anchoring.-

255 (1) As used in this section, the term "long-term anchoring"
256 means anchoring a vessel within 1 linear nautical mile of a
257 documented anchorage point for 14 days or more within a 30-day
258 period.

259 (2) The commission shall, at no cost to the applicant,
260 issue a permit for the long-term anchoring of a vessel within
261 the waters of this state upon receiving an application that

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262 includes, but is not limited to, all of the following
263 information:

264 (a) For the vessel owner or operator:

- 265 1. Name.
- 266 2. Mailing address.
- 267 3. Telephone number.
- 268 4. E-mail address.
- 269 5. Birthdate.
- 270 6. Driver license number, if applicable.

271 (b) For the vessel:

- 272 1. Make.
- 273 2. Model.
- 274 3. Year.
- 275 4. Style.
- 276 5. Hull identification number.
- 277 6. Registration number or United States Coast Guard
278 documentation, if applicable.

279 7. Vessel name, if applicable.

280 (c) Location where the vessel will be anchored.

281 (d) Notice that the long-term anchoring permit may be
282 revoked if the vessel is a derelict vessel as defined in s.
283 823.11, or is at risk of becoming derelict as provided in s.
284 327.4107, or is in violation of marine sanitation provisions in
285 s. 327.53.

286 (3) The long-term anchoring permit established under this
287 section is specific to one vessel only. However, a person may
288 obtain more than one permit. A permit must be renewed or updated
289 for each long-term anchoring location. Long-term anchoring
290 permits expire 1 year from the date of issuance and may be

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291 revoked if the permitted vessel is a derelict vessel as defined
 292 in s. 823.11, is at risk of becoming derelict, or is operated or
 293 occupied on waters of this state in violation of s. 327.53.

294 (4) A person who engages in long-term anchoring of a vessel
 295 within the waters of this state without a valid long-term
 296 anchoring permit commits a noncriminal infraction, punishable as
 297 provided in s. 327.73.

298 (5) This section does not apply to any of the following:

299 (a) Vessels owned or operated by a governmental entity for
 300 law enforcement, firefighting, military, or rescue purposes.

301 (b) Construction or dredging vessels on an active job site.

302 (c) Vessels actively engaged in commercial fishing.

303 (d) Vessels engaged in recreational fishing if the persons
 304 onboard are actively tending hook and line fishing gear or nets.

305 (6) A permit under this section is not required if a vessel
 306 is docked at a public or private dock or moored to a mooring
 307 buoy permitted as provided in s. 327.40.

308 (7) In implementing this section, the commission must use
 309 an electronic application and permitting system.

310 (8) The provisions of this section do not supersede any
 311 other anchoring limitations established pursuant to law.

312 (9) The commission may adopt rules to implement this
 313 section.

314 Section 4. Paragraph (a) of subsection (3) of section
 315 327.70, Florida Statutes, is amended, and paragraph (e) is added
 316 to that subsection, to read:

317 327.70 Enforcement of this chapter and chapter 328.—

318 (3) (a) Noncriminal violations of the following statutes may
 319 be enforced by a uniform boating citation mailed to the

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320 registered owner of an unattended vessel anchored, aground, or
 321 moored on the waters of this state:

322 1. Section 327.33(3) (b), relating to navigation rules.

323 2. Section 327.44, relating to interference with
 324 navigation.

325 3. Section 327.50(2), relating to required lights and
 326 shapes.

327 4. Section 327.53, relating to marine sanitation.

328 5. Section 328.48(5), relating to display of decal.

329 6. Section 328.52(2), relating to display of number.

330 7. Section 327.4107, relating to vessels at risk of
 331 becoming derelict.

332 8. Section 327.4109, relating to prohibited anchoring or
 333 mooring.

334 9. Section 328.72(13), relating to expired registration.

335 10. Section 327.4111, relating to long-term anchoring.

336 (e) A noncriminal violation of s. 327.4111 may be enforced
 337 by a uniform boating citation issued to the owner or operator of
 338 a vessel engaged in unlawful long-term anchoring.

339 Section 5. Subsection (1) of section 327.73, Florida
 340 Statutes, is amended to read:

341 327.73 Noncriminal infractions.—

342 (1) Violations of the following provisions of the vessel
 343 laws of this state are noncriminal infractions:

344 (a) Section 328.46, relating to operation of unregistered
 345 and unnumbered vessels.

346 (b) Section 328.48(4), relating to display of number and
 347 possession of registration certificate.

348 (c) Section 328.48(5), relating to display of decal.

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349 (d) Section 328.52(2), relating to display of number.
 350 (e) Section 328.54, relating to spacing of digits and
 351 letters of identification number.
 352 (f) Section 328.60, relating to military personnel and
 353 registration of vessels.
 354 (g) Section 328.72(13), relating to operation with an
 355 expired registration, for which the penalty is:
 356 1. For a first or subsequent offense of s. 328.72(13) (a),
 357 up to a maximum of \$100.
 358 2. For a first offense of s. 328.72(13) (b), up to a maximum
 359 of \$250.
 360 3. For a second or subsequent offense of s. 328.72(13) (b),
 361 up to a maximum of \$500. A ~~Any~~ person cited for a noncriminal
 362 infraction under this subparagraph may not have the provisions
 363 of paragraph (4) (a) available to him or her but must appear
 364 before the designated official at the time and location of the
 365 scheduled hearing.
 366 (h) Section 327.33(2), relating to careless operation.
 367 (i) Section 327.37, relating to water skiing, aquaplaning,
 368 parasailing, and similar activities.
 369 (j) Section 327.44, relating to interference with
 370 navigation.
 371 (k) Violations relating to boating-restricted areas and
 372 speed limits:
 373 1. Established by the commission or by local governmental
 374 authorities pursuant to s. 327.46.
 375 2. Speed limits established pursuant to s. 379.2431(2).
 376 (l) Section 327.48, relating to regattas and races.
 377 (m) Section 327.50(1) and (2), relating to required safety

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378 equipment, lights, and shapes.
 379 (n) Section 327.65, relating to muffling devices.
 380 (o) Section 327.33(3) (b), relating to a violation of
 381 navigation rules:
 382 1. That does not result in an accident; or
 383 2. That results in an accident not causing serious bodily
 384 injury or death, for which the penalty is:
 385 a. For a first offense, up to a maximum of \$500.
 386 b. For a second offense, up to a maximum of \$1,000.
 387 c. For a third or subsequent offense, up to a maximum of
 388 \$1,500.
 389 (p) Section 327.39(1), (2), (3), and (5), relating to
 390 personal watercraft.
 391 (q) Section 327.53(1), (2), (3), and (8), relating to
 392 marine sanitation.
 393 (r) Section 327.53(4), (5), and (7), relating to marine
 394 sanitation, and s. 327.60, relating to no-discharge zones, for
 395 which the civil penalty is \$250.
 396 (s) Section 327.395, relating to boater safety education.
 397 However, a person cited for violating the requirements of s.
 398 327.395 relating to failure to have required proof of boating
 399 safety education in his or her possession may not be convicted
 400 if, before or at the time of a county court hearing, the person
 401 produces proof of the boating safety education identification
 402 card or temporary certificate for verification by the hearing
 403 officer or the court clerk and the identification card or
 404 temporary certificate was valid at the time the person was
 405 cited.
 406 (t) Section 327.52(3), relating to operation of overloaded

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407 or overpowered vessels.

408 (u) Section 327.331, relating to divers-down warning
409 devices, except for violations meeting the requirements of s.
410 327.33.

411 (v) Section 327.391(1), relating to the requirement for an
412 adequate muffler on an airboat.

413 (w) Section 327.391(3), relating to the display of a flag
414 on an airboat.

415 (x) Section 253.04(3)(a), relating to carelessly causing
416 seagrass scarring, for which the civil penalty upon conviction
417 is:

- 418 1. For a first offense, \$100.
- 419 2. For a second offense occurring within 12 months after a
420 prior conviction, \$250.
- 421 3. For a third offense occurring within 36 months after a
422 prior conviction, \$500.
- 423 4. For a fourth or subsequent offense occurring within 72
424 months after a prior conviction, \$1,000.

425 (y) Section 327.45, relating to protection zones for
426 springs, for which the penalty is:

- 427 1. For a first offense, \$100.
- 428 2. For a second offense occurring within 12 months after a
429 prior conviction, \$250.
- 430 3. For a third offense occurring within 36 months after a
431 prior conviction, \$500.
- 432 4. For a fourth or subsequent offense occurring within 72
433 months after a prior conviction, \$1,000.

434 (z) Section 327.4108, relating to the anchoring of vessels
435 in anchoring limitation areas, for which the penalty is:

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436 1. For a first offense, up to a maximum of \$100.

437 2. For a second offense, up to a maximum of \$250.

438 3. For a third or subsequent offense, up to a maximum of
439 \$500.

440 (aa) Section 327.4107, relating to vessels at risk of
441 becoming derelict on waters of this state, for which the civil
442 penalty is:

- 443 1. For a first offense, \$100.
- 444 2. For a second offense occurring 30 days or more after a
445 first offense, \$250.
- 446 3. For a third or subsequent offense occurring 30 days or
447 more after a previous offense, \$500.

448
449 A vessel that is the subject of three or more violations ~~issued~~
450 ~~pursuant to the same paragraph~~ of s. 327.4107(2) which occur
451 within a 24-month ~~an 18-month~~ period and which result in
452 dispositions other than acquittal or dismissal must ~~shall~~ be
453 declared ~~to be~~ a public nuisance and subject to ss. 705.103(2)
454 and (4) and 823.11(3). For purposes of this paragraph, failure
455 to appear at a hearing or failure to pay the civil penalty
456 constitutes a disposition other than acquittal or dismissal
457 unless such failure to appear or such nonpayment is excused or
458 set aside by the court for good cause shown. The commission, an
459 officer of the commission, or a law enforcement agency or
460 officer specified in s. 327.70 may relocate, remove, or cause to
461 be relocated or removed such public nuisance vessels from waters
462 of this state. The commission, an officer of the commission, or
463 a law enforcement agency or officer acting pursuant to this
464 paragraph upon waters of this state shall be held harmless for

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465 all damages to the vessel resulting from such relocation or
 466 removal unless the damage results from gross negligence or
 467 willful misconduct as these terms are defined in s. 823.11.
 468 (bb) Section 327.4109, relating to anchoring or mooring in
 469 a prohibited area, for which the penalty is:
 470 1. For a first offense, up to a maximum of \$100.
 471 2. For a second offense, up to a maximum of \$250.
 472 3. For a third or subsequent offense, up to a maximum of
 473 \$500.
 474 (cc) Section 327.463(4)(a) and (b), relating to vessels
 475 creating special hazards, for which the penalty is:
 476 1. For a first offense, \$100.
 477 2. For a second offense occurring within 12 months after a
 478 prior offense, \$250.
 479 3. For a third offense occurring within 36 months after a
 480 prior offense, \$500.
 481 (dd) Section 327.371, relating to the regulation of human-
 482 powered vessels.
 483 (ee) Section 328.03, relating to an improper transfer of
 484 title, for which the penalty is up to a maximum of \$500.
 485 (ff) Section 328.48(9), relating to the failure to update
 486 vessel registration information, for which the penalty is up to
 487 a maximum of \$500.
 488 (gg) Section 327.4111, relating to long-term anchoring, for
 489 which the penalty is:
 490 1. For a first offense, up to a maximum of \$100.
 491 2. For a second offense, up to a maximum of \$250.
 492 3. For a third or subsequent offense, up to a maximum of
 493 \$500.

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494
 495 A vessel that is the subject of three or more violations of s.
 496 327.4111 that occur within a 24-month period and that result in
 497 dispositions other than acquittal or dismissal must be declared
 498 a public nuisance and subject to ss. 705.103(2) and (4) and
 499 823.11(3). For purposes of this paragraph, failure to appear at
 500 a hearing or failure to pay the civil penalty required by s.
 501 327.72 constitutes a disposition other than acquittal or
 502 dismissal, unless such failure to appear or such nonpayment is
 503 excused or set aside by the court for good cause shown. The
 504 commission, an officer of the commission, or a law enforcement
 505 agency or officer specified in s. 327.70 may relocate, remove,
 506 or cause to be relocated or removed such public nuisance vessels
 507 from waters of this state. The commission, an officer of the
 508 commission, or a law enforcement agency or officer acting
 509 pursuant to this paragraph shall be held harmless for all
 510 damages to the vessel resulting from such relocation or removal
 511 unless the damage results from gross negligence or willful
 512 misconduct as those terms are defined in s. 823.11.
 513
 514 A ~~Any~~ person cited for a violation of this subsection ~~is shall~~
 515 ~~be~~ deemed to be charged with a noncriminal infraction, ~~must~~
 516 ~~shall~~ be cited for such an infraction, and ~~must shall~~ be cited
 517 to appear before the county court. The civil penalty for any
 518 such infraction is \$100, except as otherwise provided in this
 519 section. A ~~Any~~ person who fails to appear or otherwise properly
 520 respond to a uniform boating citation, in addition to the charge
 521 relating to the violation of the boating laws of this state,
 522 must be charged with the offense of failing to respond to such

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523 citation and, upon conviction, be guilty of a misdemeanor of the
 524 second degree, punishable as provided in s. 775.082 or s.
 525 775.083. A written warning to this effect ~~must shall~~ be provided
 526 at the time such uniform boating citation is issued.

527 Section 6. Subsection (1), paragraph (a) of subsection (2),
 528 and subsection (4) of section 705.103, Florida Statutes, are
 529 amended to read:

530 705.103 Procedure for abandoned or lost property.-

531 (1) Whenever a law enforcement officer ascertains that an
 532 article of lost or abandoned property is present on public
 533 property and is of such nature that it can be easily removed,
 534 the officer shall take such article into custody and shall make
 535 a reasonable attempt to ascertain the rightful owner or
 536 lienholder pursuant to the provisions of this section. For the
 537 purposes of this section, the term "owner" has the same meaning
 538 as "vessel owner" as defined in s. 327.02.

539 (2) (a) 1. Whenever a law enforcement officer ascertains
 540 that:

541 a. An article of lost or abandoned property other than a
 542 derelict vessel or a vessel declared a public nuisance pursuant
 543 to s. 327.73(1) (aa) is present on public property and is of such
 544 nature that it cannot be easily removed, the officer shall cause
 545 a notice to be placed upon such article in substantially the
 546 following form:

547 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED
 548 PROPERTY. This property, to wit: ...(setting forth brief
 549 description)... is unlawfully upon public property known as
 550 ...(setting forth brief description of location)... and must be
 551

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552 removed within 5 days; otherwise, it will be removed and
 553 disposed of pursuant to chapter 705, Florida Statutes. The owner
 554 will be liable for the costs of removal, storage, and
 555 publication of notice. Dated this: ...(setting forth the date of
 556 posting of notice)..., signed: ...(setting forth name, title,
 557 address, and telephone number of law enforcement officer)...

558
 559 b. A derelict vessel or a vessel declared a public nuisance
 560 pursuant to s. 327.73(1) (aa) is present on the waters of this
 561 state, the officer shall cause a notice to be placed upon such
 562 vessel in substantially the following form:

563 NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED
 564 VESSEL. This vessel, to wit: ...(setting forth brief description
 565 of location)... has been determined to be ...(derelict or a
 566 public nuisance)... and is unlawfully upon the waters of this
 567 state ...(setting forth brief description of location)... and
 568 must be removed within 21 days; otherwise, it will be removed
 569 and disposed of pursuant to chapter 705, Florida Statutes. The
 570 owner and other interested parties have the right to a hearing
 571 to challenge the determination that this vessel is derelict or
 572 otherwise in violation of the law. Please contact ...(contact
 573 information for person who can arrange for a hearing in
 574 accordance with this section)... The owner ~~of or the party~~
 575 ~~determined to be legally responsible for~~ the vessel on being
 576 ~~upon~~ the waters of this state in a derelict condition or as a
 577 public nuisance will be liable for the costs of removal,
 578 destruction, and disposal if this vessel is not removed by the
 579 owner. Dated this: ...(setting forth the date of posting of
 580

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581 notice)..., signed: ...(setting forth name, title, address, and
582 telephone number of law enforcement officer)....

583
584 2. The notices required under subparagraph 1. may not be
585 less than 8 inches by 10 inches and must be sufficiently
586 weatherproof to withstand normal exposure to the elements. In
587 addition to posting, the law enforcement officer shall make a
588 reasonable effort to ascertain the name and address of the
589 owner. If such is reasonably available to the officer, he or she
590 ~~must or he shall~~ mail a copy of such notice to the owner on the
591 date of posting or as soon thereafter as is practical. If the
592 property is a motor vehicle as defined in s. 320.01(1) or a
593 vessel as defined in s. 327.02, the law enforcement agency must
594 ~~shall~~ contact the Department of Highway Safety and Motor
595 Vehicles in order to determine the name and address of the owner
596 and any person who has filed a lien on the vehicle or vessel as
597 provided in s. 319.27(2) or (3) or s. 328.15. On receipt of this
598 information, the law enforcement agency shall mail a copy of the
599 notice by certified mail, return receipt requested, to the owner
600 and to the lienholder, if any, except that a law enforcement
601 officer who has issued a citation for a violation of s. 823.11
602 to the owner of a derelict vessel is not required to mail a copy
603 of the notice by certified mail, return receipt requested, to
604 the owner. For a derelict vessel or a vessel declared a public
605 nuisance pursuant to s. 327.73(1)(aa), the mailed notice must
606 inform the owner ~~or responsible party~~ that he or she has a right
607 to a hearing to dispute the determination that the vessel is
608 derelict or otherwise in violation of the law. If a request for
609 a hearing is made, a state agency must ~~shall~~ follow the

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610 processes as set forth in s. 120.569. Local governmental
611 entities shall follow the processes set forth in s. 120.569,
612 except that a local judge, magistrate, or code enforcement
613 officer may be designated to conduct such a hearing. If, at the
614 end of 5 days after posting the notice in sub-subparagraph 1.a.,
615 or at the end of 21 days after posting the notice in sub-
616 subparagraph 1.b., and mailing such notice, if required, the
617 owner or any person interested in the lost or abandoned article
618 or articles described has not removed the article or articles
619 from public property or shown reasonable cause for failure to do
620 so, and, in the case of a derelict vessel or a vessel declared a
621 public nuisance pursuant to s. 327.73(1)(aa), has not requested
622 a hearing in accordance with this section, the following applies
623 ~~shall apply~~:

624 a. For abandoned property other than a derelict vessel or a
625 vessel declared a public nuisance pursuant to s. 327.73(1)(aa),
626 the law enforcement agency may retain any ~~or all~~ of the property
627 for its own use or for use by the state or unit of local
628 government, trade such property to another unit of local
629 government or state agency, donate the property to a charitable
630 organization, sell the property, or notify the appropriate
631 refuse removal service.

632 b. For a derelict vessel or a vessel declared a public
633 nuisance pursuant to s. 327.73(1)(aa), the law enforcement
634 agency or its designee may:

635 (I) Remove the vessel from the waters of this state and
636 destroy and dispose of the vessel or authorize another
637 governmental entity or its designee to do so; or

638 (II) Authorize the vessel's use as an artificial reef in

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639 accordance with s. 379.249 if all necessary federal, state, and
640 local authorizations are received.

641
642 A law enforcement agency or its designee may also take action as
643 described in this sub-subparagraph if, following a hearing
644 pursuant to this section, the judge, magistrate, administrative
645 law judge, or hearing officer has determined the vessel to be
646 derelict as provided in s. 823.11 or otherwise in violation of
647 the law in accordance with s. 327.73(1)(aa) and a final order
648 has been entered or the case is otherwise closed.

649 (4) The owner of any abandoned or lost property, or in the
650 case of a derelict vessel or a vessel declared a public nuisance
651 pursuant to s. 327.73(1)(aa), the owner of or other party
652 ~~determined to be legally responsible for the vessel on being~~
653 ~~upon~~ the waters of this state in a derelict condition or as a
654 public nuisance, who, after notice as provided in this section,
655 does not remove such property within the specified period is
656 liable to the law enforcement agency, other governmental entity,
657 or the agency's or entity's designee for all costs of removal,
658 storage, destruction, and disposal of such property, less any
659 salvage value obtained by disposal of the property. Upon final
660 disposition of the property, the law enforcement officer or
661 representative of the law enforcement agency or other
662 governmental entity shall notify the owner, or in the case of a
663 derelict vessel or vessel declared a public nuisance pursuant to
664 s. 327.73(1)(aa), the owner ~~or other party determined to be~~
665 ~~legally responsible~~, if known, of the amount owed. In the case
666 of an abandoned vessel or motor vehicle, a any person who
667 neglects or refuses to pay such amount is not entitled to be

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668 issued a certificate of registration for such vessel or motor
669 vehicle, or any other vessel or motor vehicle, until such costs
670 have been paid. A person who has neglected or refused to pay all
671 costs of removal, storage, disposal, and destruction of a vessel
672 or motor vehicle as provided in this section, after having been
673 provided written notice via certified mail that such costs are
674 owed, and who applies for and is issued a registration for a
675 vessel or motor vehicle before such costs have been paid in full
676 commits a misdemeanor of the first degree, punishable as
677 provided in s. 775.082 or s. 775.083. The law enforcement
678 officer or representative of the law enforcement agency or other
679 governmental entity shall supply the Department of Highway
680 Safety and Motor Vehicles with a list of persons whose vessel
681 registration privileges and motor vehicle privileges have been
682 revoked under this subsection. The department or a person acting
683 as an agent of the department may not issue a certificate of
684 registration to a person whose vessel and motor vehicle
685 registration privileges have been revoked, as provided by this
686 subsection, until such costs have been paid.

687 Section 7. Paragraphs (a), (c), and (d) of subsection (2),
688 paragraph (a) of subsection (3), paragraph (c) of subsection
689 (4), and subsections (6) and (7) of section 823.11, Florida
690 Statutes, are amended, paragraph (e) is added to subsection (2)
691 of that section, and paragraph (b) of subsection (1) of that
692 section is reenacted, to read:

693 823.11 Derelict vessels; relocation or removal; penalty.—

694 (1) As used in this section, the term:

695 (b) "Derelict vessel" means a vessel, as defined in s.
696 327.02, that is:

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- 697 1. In a wrecked, junked, or substantially dismantled
698 condition upon any waters of this state.
- 699 a. A vessel is wrecked if it is sunken or sinking; aground
700 without the ability to extricate itself absent mechanical
701 assistance; or remaining after a marine casualty, including, but
702 not limited to, a boating accident, extreme weather, or a fire.
- 703 b. A vessel is junked if it has been substantially stripped
704 of vessel components, if vessel components have substantially
705 degraded or been destroyed, or if the vessel has been discarded
706 by the owner or operator. Attaching an outboard motor to a
707 vessel that is otherwise junked will not cause the vessel to no
708 longer be junked if such motor is not an effective means of
709 propulsion as required by s. 327.4107(2)(e) and associated
710 rules.
- 711 c. A vessel is substantially dismantled if at least two of
712 the three following vessel systems or components are missing,
713 compromised, incomplete, inoperable, or broken:
- 714 (I) The steering system;
715 (II) The propulsion system; or
716 (III) The exterior hull integrity.
- 717
718 Attaching an outboard motor to a vessel that is otherwise
719 substantially dismantled will not cause the vessel to no longer
720 be substantially dismantled if such motor is not an effective
721 means of propulsion as required by s. 327.4107(2)(e) and
722 associated rules.
- 723 2. At a port in this state without the consent of the
724 agency having jurisdiction thereof.
- 725 3. Docked, grounded, or beached upon the property of

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- 726 another without the consent of the owner of the property.
- 727 (2) (a) A vessel owner as defined in s. 327.02 ~~person, firm,~~
728 ~~or corporation~~ may not leave any derelict vessel upon waters of
729 this state. For purposes of this paragraph, the term "leave"
730 means to allow a vessel to remain occupied or unoccupied on the
731 waters of this state for more than 24 hours.
- 732 (c) The additional time provided in subparagraph (b)2. for
733 an owner ~~or responsible party~~ to remove a derelict vessel from
734 the waters of this state or to repair and remedy the vessel's
735 derelict condition does not apply to a vessel that was derelict
736 upon the waters of this state before the stated accident or
737 event.
- 738 (d) Notwithstanding the additional 45 days provided in sub-
739 subparagraph (b)2.b. during which an owner ~~or a responsible~~
740 ~~party~~ may not be charged for a violation of this section, the
741 commission, an officer of the commission, a law enforcement
742 agency or officer specified in s. 327.70, or, during a state of
743 emergency declared by the Governor, the Division of Emergency
744 Management or its designee, may immediately begin the process
745 set forth in s. 705.103(2)(a) and, once that process has been
746 completed and the 45 days provided herein have passed, any
747 vessel that has not been removed or repaired such that it is no
748 longer derelict upon the waters of this state may be removed and
749 destroyed as provided therein.
- 750 (e) The title of a derelict vessel is prima facie evidence
751 of ownership for any derelict vessel left upon the waters of
752 this state. An owner who attempts to transfer ownership of a
753 vessel or derelict vessel through means other than the process
754 outlined in s. 328.22 or s. 328.64 will not be exonerated from

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755 the responsibility of having a derelict vessel upon the waters
 756 of this state without a written agreement of ownership by the
 757 transferee or evidence of agreement to transfer ownership to the
 758 transferee and the exchange of consideration between the
 759 parties.

760 (3) The commission, an officer of the commission, or a law
 761 enforcement agency or officer specified in s. 327.70 may
 762 relocate, remove, and store or cause to be relocated, removed,
 763 and stored a derelict vessel from waters of this state as
 764 defined in s. 327.02 if the derelict vessel obstructs or
 765 threatens to obstruct navigation or in any way constitutes a
 766 danger to the environment, property, or persons. The commission,
 767 an officer of the commission, or any other law enforcement
 768 agency or officer acting pursuant to this subsection to
 769 relocate, remove, and store or cause to be relocated, removed,
 770 and stored a derelict vessel from waters of this state shall be
 771 held harmless for all damages to the derelict vessel resulting
 772 from such action unless the damage results from gross negligence
 773 or willful misconduct.

774 (a) All costs, including costs owed to a third party,
 775 incurred by the commission, another law enforcement agency, or a
 776 governmental subdivision, when the governmental subdivision has
 777 received authorization from a law enforcement officer or agency,
 778 in the relocation, removal, storage, destruction, or disposal of
 779 a derelict vessel are recoverable against the ~~vessel~~ owner of ~~or~~
 780 ~~the party determined to be legally responsible for~~ the vessel on
 781 ~~being upon~~ the waters of this state in a derelict condition. The
 782 Department of Legal Affairs shall represent the commission in
 783 actions to recover such costs. As provided in s. 705.103(4), a

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784 person who neglects or refuses to pay such costs may not be
 785 issued a certificate of registration for such vessel or for any
 786 other vessel or motor vehicle until such costs have been paid. A
 787 person who has neglected or refused to pay all costs of removal,
 788 storage, destruction, or disposal of a derelict vessel as
 789 provided in this section, after having been provided written
 790 notice via certified mail that such costs are owed, and who
 791 applies for and is issued a registration for a vessel or motor
 792 vehicle before such costs have been paid in full commits a
 793 misdemeanor of the first degree, punishable as provided in s.
 794 775.082 or s. 775.083.

795 (4)
 796 (c) The commission may establish a program to provide
 797 grants to local governments for the removal, storage,
 798 destruction, and disposal of derelict vessels from the waters of
 799 this state. This grant funding may also be used for the removal,
 800 storage, destruction, and disposal of vessels declared a public
 801 nuisance pursuant to s. 327.73(1)(aa) or the derelict vessel
 802 prevention program established pursuant to s. 327.4107(7). The
 803 program must be funded from the Marine Resources Conservation
 804 Trust Fund or the Florida Coastal Protection Trust Fund.
 805 Notwithstanding s. 216.181(11), funds available for these grants
 806 may only be authorized by appropriations acts of the
 807 Legislature. In a given fiscal year, if all funds appropriated
 808 pursuant to this paragraph are not requested by and granted to
 809 local governments for the removal, storage, destruction, and
 810 disposal of derelict vessels or vessels declared a public
 811 nuisance pursuant to s. 327.73(1)(aa) by the end of the third
 812 quarter, the Fish and Wildlife Conservation Commission may use

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813 the remainder of the funds to remove, store, destroy, and
 814 dispose of, or to pay private contractors to remove, store,
 815 destroy, and dispose of, derelict vessels or vessels declared a
 816 public nuisance pursuant to s. 327.73(1)(aa). The commission
 817 shall adopt by rule procedures for local governments to submit a
 818 grant application and criteria for allocating available funds.
 819 Such criteria must include, at a minimum, all of the following:

820 1. The number of derelict vessels within the jurisdiction
 821 of the applicant.

822 2. The threat posed by such vessels to public health or
 823 safety, the environment, navigation, or the aesthetic condition
 824 of the general vicinity.

825 3. The degree of commitment of the local government to
 826 maintain waters free of abandoned and derelict vessels and to
 827 seek legal action against those who abandon vessels in the
 828 waters of this state as defined in s. 327.02.

829 ~~(6) A person, firm, or corporation violating this section~~
 830 ~~commits a misdemeanor of the first degree and shall be punished~~
 831 ~~as provided by law.~~ A conviction under this section does not bar
 832 the assessment and collection of a civil penalty. The court
 833 having jurisdiction over the criminal offense, notwithstanding
 834 any jurisdictional limitations on the amount in controversy, may
 835 order the imposition of such civil penalty in addition to any
 836 sentence imposed for ~~the first the~~ criminal offense.

837 (a) For a first offense, a person, firm, or corporation
 838 violating this section commits a misdemeanor of the first degree
 839 and shall be punished as provided by law.

840 (b) For a second offense, a person, firm, or corporation
 841 violating this section commits a felony of the third degree,

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842 punishable as provided by law.

843 (c) For a third or subsequent offense, a person, firm, or
 844 corporation violating this section commits a felony of the
 845 second degree, punishable as provided by law.

846 (7) A person may not reside or dwell on a vessel determined
 847 to be derelict by disposition of a court or administrative
 848 order, or where the vessel owner does not challenge the derelict
 849 determination pursuant to chapter 120. Violation of this
 850 provision constitutes a misdemeanor of the first degree,
 851 punishable as provided in s. 775.082. Law enforcement has the
 852 power and duty to issue orders, perform investigations, complete
 853 reports, and perform arrests in connection with such violations
 854 to enforce this provision. If a vessel is returned to the waters
 855 of this state in a condition that is no longer derelict, a
 856 person may reside or dwell on such vessel. The commission may
 857 adopt rules to implement this section ~~If an owner or a~~
 858 ~~responsible party of a vessel determined to be derelict through~~
 859 ~~an administrative or criminal proceeding has been charged by an~~
 860 ~~officer of the commission or any law enforcement agency or~~
 861 ~~officer as specified in s. 327.70 under subsection (6) for a~~
 862 ~~violation of subsection (2), a person may not reside or dwell on~~
 863 ~~such vessel until the vessel is removed from the waters of the~~
 864 ~~state permanently or returned to the waters of the state in a~~
 865 ~~condition that is no longer derelict.~~

866 Section 8. For the purpose of incorporating the amendment
 867 made by this act to section 823.11, Florida Statutes, in a
 868 reference thereto, section 327.04, Florida Statutes, is
 869 reenacted to read:

870 327.04 Rules.—The commission may adopt rules pursuant to

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871 ss. 120.536(1) and 120.54 to implement this chapter, the
872 provisions of chapter 705 relating to vessels, and s. 823.11
873 conferring powers or duties upon it.

874 Section 9. For the purpose of incorporating the amendment
875 made by this act to section 823.11, Florida Statutes, in a
876 reference thereto, paragraph (d) of subsection (6) of section
877 327.4108, Florida Statutes, is reenacted to read:

878 327.4108 Anchoring of vessels in anchoring limitation
879 areas.-

880 (6)

881 (d) A vessel that is the subject of more than three
882 violations within 12 months which result in dispositions other
883 than acquittal or dismissal shall be declared to be a public
884 nuisance and subject to s. 705.103 or, for a derelict vessel,
885 subject to s. 823.11.

886 Section 10. For the purpose of incorporating the amendments
887 made by this act to sections 327.4107 and 823.11, Florida
888 Statutes, in references thereto, paragraph (d) of subsection (3)
889 of section 327.54, Florida Statutes, is reenacted to read:

890 327.54 Liveries; safety regulations; penalty.-

891 (3) A livery may not knowingly lease or rent a vessel to
892 any person:

893 (d) When the vessel is not seaworthy, is a derelict vessel
894 as defined in s. 823.11, or is at risk of becoming derelict as
895 provided in s. 327.4107.

896 Section 11. For the purpose of incorporating the amendment
897 made by this act to section 327.73, Florida Statutes, in a
898 reference thereto, subsection (1) of section 705.101, Florida
899 Statutes, is reenacted to read:

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900 705.101 Definitions.-As used in this chapter:

901 (1) "Abandoned property" means all tangible personal
902 property that does not have an identifiable owner and that has
903 been disposed on public property in a wrecked, inoperative, or
904 partially dismantled condition or has no apparent intrinsic
905 value to the rightful owner. The term includes derelict vessels
906 as defined in s. 823.11 and vessels declared a public nuisance
907 pursuant to s. 327.73(1) (aa).

908 Section 12. For the purpose of incorporating the amendment
909 made by this act to section 705.103, Florida Statutes, in a
910 reference thereto, subsection (1) of section 705.104, Florida
911 Statutes, is reenacted to read:

912 705.104 Title to lost or abandoned property.-

913 (1) Title to lost or abandoned property is hereby vested in
914 the finder upon the expiration of the 90-day custodial time
915 period specified in s. 705.103(2) (b), provided the notice
916 requirements of s. 705.103 have been met, unless the rightful
917 owner or a lienholder claims the property within that time.

918 Section 13. For the purpose of incorporating the amendment
919 made by this act to section 705.103, Florida Statutes, in a
920 reference thereto, subsection (8) of section 713.585, Florida
921 Statutes, is reenacted to read:

922 713.585 Enforcement of lien by sale of motor vehicle.-A
923 person claiming a lien under s. 713.58 for performing labor or
924 services on a motor vehicle may enforce such lien by sale of the
925 vehicle in accordance with the following procedures:

926 (8) A vehicle subject to lien enforcement pursuant to this
927 section must be sold by the lienor at public sale. Immediately
928 upon the sale of the vehicle and payment in cash of the purchase

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929 price, the lienor shall deposit with the clerk of the circuit
930 court the proceeds of the sale less the amount claimed by the
931 lienor for work done and storage, if any, and all reasonable
932 costs and expenses incurred in conducting the sale, including
933 any attorney's fees and costs ordered by the court.
934 Simultaneously with depositing the proceeds of sale remaining
935 after payment to the lienor, the lienor shall file with the
936 clerk a verified report of the sale stating a description of the
937 vehicle sold, including the vehicle identification number; the
938 name and address of the purchaser; the date of the sale; and the
939 selling price. The report shall also itemize the amount retained
940 by the lienor pursuant to this section and shall indicate
941 whether a hearing was demanded and held. All proceeds held by
942 the court shall be held for the benefit of the owner of the
943 vehicle or any lienholder whose lien is discharged by the sale
944 and shall be disbursed only upon order of the court. Unless a
945 proceeding is initiated to validate a claim to such proceeds
946 within 1 year and a day from the date of the sale, the proceeds
947 shall be deemed abandoned property and disposition thereof shall
948 be governed by s. 705.103. The clerk shall receive 5 percent of
949 the proceeds deposited with her or him, not to exceed \$25, for
950 her or his services under this section.

951 Section 14. Except as otherwise provided in this act, this
952 act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

3.27.25

Meeting Date

164

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Albert Palido

Phone 850 251 3440

Address 215 S Monroe St

Email

Street

Tallahassee FL

32301

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

American Great Loop Cruising Association

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/27/25

Meeting Date

Fiscal Policy
Committee

The Florida Senate
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SB 164

Bill Number or Topic

Amendment Barcode (if applicable)

Name Kyle Langan

Phone _____

Address _____
Street

Email _____

City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Boat US

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

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3/27/25

Meeting Date

Fiscal Policy

Committee

SB 164

Bill Number or Topic

Amendment Barcode (if applicable)

Name David Childs

Phone _____

Address _____

Email _____

Street

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

National Marine Manufacturers Association

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 166

INTRODUCER: Fiscal Policy Committee and Senator Simon

SUBJECT: Administrative Efficiency in Public Schools

DATE: March 28, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick, Jahnke, Palazesi, Sabitsch	Bouck	ED	Favorable
2.	Gray	Elwell	AED	Favorable
3.	Brick, Jahnke, Palazesi, Sabitsch	Siples	FP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 166 streamlines administrative processes for school districts by reducing regulations, increasing flexibility in policymaking, and enhancing financial and facilities management. Relating to:

- Assessment and accountability, the bill:
 - Expands the assessments that satisfy requirements for fourth grade progression.
 - Provides that students will not be required to pass Algebra 1 and grade 10 English Language Arts (ELA) assessments to earn a standard high school diploma, and requires that the grade 10 ELA assessment constitute 30 percent of the final course grade.
 - Eliminates certain school district requirements relating to the uniform assessment calendar, but requires the calendar to indicate state and district assessments.
 - Authorizes district school superintendents to establish deadlines for extraordinary exemptions from certain assessments.
 - Specifies that the value-added model (VAM) may not be the sole determinate in recruiting instructional personnel.
 - Requires State Board of Education (SBE) rule to provide a timeline for approving school turnaround plans and for the release of Title I funding.
- Instructional personnel, the bill:
 - Authorizes district school boards to determine personnel evaluation components, but requires at least half of the evaluation be based on student performance.

- Expands eligibility requirements for the teacher apprenticeship program.
- Removes an employment provision for a teacher to receive a CAPE bonus.
- Clarifies options for an advanced degree that may be used for salary adjustments.
- Specifies that collective bargaining may not preclude a district from providing salary supplements based on statewide or district teacher needs.
- Creates a three-year instructional multi-year contract.
- Establishes a 10-year renewable professional certificate.
- Authorizes school districts or regional consortia to issue temporary educator certificates.
- Limits the requirement for demonstration of general knowledge to classroom teachers.
- School district operations, the bill:
 - Exempts school boards from Administrative Procedures Act rulemaking requirements, but maintains requirements for public input and transparency.
 - Allows school boards to shorten the timeline to address student absenteeism.
 - Eliminates an obsolete requirement for districts exceeding class size limits to submit a compliance plan to the Department of Education (DOE) to mitigate a financial penalty.
 - Removes the requirement that certain districts employ an internal auditor, but maintains general financial audit requirements.
 - Clarifies that operator or provider requirements to protect student data do not also require certain provisions in school district contracts.
 - Authorizes district school board instructional materials purchases to follow the full five-year adoption cycle.
- School district facilities, the bill:
 - Removes prescribed 5-year, 10-year, and 20-year school facility work program mandates, but maintains requirements for district long-term facility planning.
 - Permanently eliminates cost-per-student-station limits on school construction projects.
 - Modifies the conditions for districts to employ an architect.
 - Repeals life-cycle cost analysis requirements for school construction projects.
 - Expands the use of funds for the sale of school district airspace.
- School district finance and budgets, the bill:
 - Removes the requirement for graphical representation of a district budget.
 - Expands district school board discretion in allocating Title I funding, authorizes the use of funds for science, technology, engineering, and mathematics programs, and clarifies that charter schools can access services or programs funded by Title I.
 - Expands allowable uses of the 1.5 mill discretionary capital levy proceeds to include ancillary and auxiliary facilities and additional vehicles used to transport students.
 - Requires charter schools to directly respond to expenditure questions from the DOE.
 - Expands the scope of capital outlay that district school boards are permitted to fund through the issuance of short-term debt instruments.
 - Authorizes district school boards to determine the need to make up days lost because of a bona fide emergency.
- School choice, the bill:
 - Authorizes district school boards to determine controlled open enrollment capacity and reduces the frequency from every 12 weeks to twice a year.
 - Modifies the timeline for developing an Individualized Education Program for students receiving a Family Empowerment Scholarship for Students with Unique Abilities.
- Early learning, the bill:

- Shifts oversight of public school Voluntary Prekindergarten (VPK) programs from early learning coalitions to the school district.
- Authorizes public VPK programs to verify attendance using existing electronic systems.
- DOE and SBE oversight, the bill:
 - Clarifies that the SBE may adopt rules only within statutory authority.
 - Requires the DOE to provide district school boards with annual guidance on statutory and rule-based requirements.

This bill does not have a fiscal impact on state revenue or expenditures. However, the bill reduces regulations and increases flexibility in policymaking which could result in a cost savings for the school districts. See Section V., Fiscal Impact Statement.

The bill is effective July 1, 2025, except as otherwise specified.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Assessment and Accountability

Present Situation

Third Grade Retention

More than half of all states have a third-grade retention policy that either allows school districts or requires them to retain students based on a student's mastery of literacy.¹ Florida has long been a national leader in investments and policy ideas targeted at improving early grades literacy. Since 2002, Florida has mandated that third grade students who score at an achievement level 1 on a statewide, standardized assessment be retained unless a student meets a good cause exemption.² Students can meet a good cause exemption if one of the following criteria is met:

- Limited English proficient students who have had less than two years of instruction in an English for Speakers of Other Languages program.
- Students with disabilities whose Individual Education Plan (IEP) indicates that participation in the statewide assessment program is not appropriate.
- Students who demonstrate an acceptable level of performance on an alternative standardized reading or ELA assessment approved by the State Board of Education.
- A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts (ELA) assessment.
- Students with disabilities who take the statewide, standardized ELA assessment and who have an IEP, or a Section 504 plan that reflects that the student has received intensive

¹ Sarah Schwartz, *3rd Grade Reading Retention: Why the Research is Complicated*, (Aug. 29, 2023), <https://www.edweek.org/teaching-learning/3rd-grade-reading-retention-why-the-research-is-complicated/2023/08> (last visited Mar. 5, 2025).

² Ch. 2002-387, Laws of Fla.

instruction in reading or ELA for more than 2 years but still demonstrates a deficiency and was previously retained in prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

- Students who have received intensive reading intervention for two or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.³

In the 2022-2023 school year, 59,806 third grade students scored at an achievement level 1 on the final administration of the coordinated screening and progress monitoring (CSPM) assessment for grade 3 ELA (progress monitoring administration 3, or PM3).⁴ Of the 59,806 students who scored at an achievement level 1, 36,769 students were promoted to grade 4 by meeting one of the good cause exemptions.⁵ The determination of whether or not to retain the student is made solely on the basis of PM3.⁶

High School Graduation Requirements

Nearly all states have established minimum credit and course requirements to earn a standard diploma, but graduation requirements may also serve to assess specific skills and content knowledge prioritized by the state, evaluate college and career readiness, or offer multiple pathways to a diploma. At least 34 states and the District of Columbia, require students to complete specific assessments to meet a graduation requirement. Eleven states require students to pass an ELA and/or a mathematics assessment to earn a standard high school diploma.⁷

Florida's High School Graduation Requirements

To earn a standard high school diploma a student must complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.⁸

The 24-credit option for a standard diploma includes:

- Four credits in ELA I, II, III, and IV.
- Four credits in mathematics, including one in Algebra I and one in Geometry.
- Three credits in science, two of which must have a laboratory component and one of which must include Biology I.
- Three credits in social studies including one credit in United States History, one credit in World History, one-half credit in economics, and one-half credit in United States Government.
- One credit in fine or performing arts, speech and debate, or career and technical education.

³ Section 1008.25(7), F.S.

⁴ Florida Department of Education, *2023 Florida Assessment of Student Thinking and B.E.S.T. End-of-Course Assessments, FAST English Language Arts, Grades 3-10*, <https://www.fldoe.org/accountability/assessments/k-12-student-assessment/results/2023.stml> (last visited Mar. 5, 2025).

⁵ Florida Department of Education, *Retentions and Non-Promotions, 3rd Grade Promotions: Good Cause Exemptions, 2022-23*, <https://www.fldoe.org/core/fileparse.php/7584/urlt/3rdPromotionExemption2223.xlsx>, (last visited Mar. 5, 2025).

⁶ Section 1008.25(5), F.S.

⁷ Education Commission of the States, *50- State Comparison: High School Graduation Requirements*, <https://www.ecs.org/50-state-comparison-high-school-graduation-requirements-2023/>, (last visited Mar. 5, 2025). Of those 11 states, two allow the use of a portfolio of work in lieu of passing an assessment and two states require students to pass the assessments if they do not choose a graduation pathway.

⁸ Section 1003.4282(1), F.S.

- One credit in physical education which includes the integration of health.
- Seven and one-half credits in electives.
- One-half credit in personal financial literacy.⁹

Students enrolled in Algebra 1, Geometry, Biology, and U.S. History must participate in the corresponding end-of-course (EOC) assessment, and it must constitute 30 percent of the final course grade.¹⁰ Additionally, all students must pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score, and must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score, in order to earn a standard high school diploma.¹¹ Students may satisfy the assessment requirement using a specified score on the SAT, ACT, Classic Learning Test, or PSAT/NMSQT. The use of concordant and comparative scores has significantly increased over the past six years, from 27.5 percent of graduates in 2018 satisfying assessment requirements using comparative and concordant scores to 42.9 percent in 2024.¹²

High School Graduation Requirements for Transfer Students and English Language Learners

Students who transfer to a Florida public high school from out of country, out of state, a private school, or a home education program and:

- The student's transcript shows a credit in Algebra I, the student must pass the statewide, standardized Algebra I EOC assessment to earn a standard high school diploma unless the student earned a comparative score or passed another mathematics assessment specified in law.
- The student's transcript shows a credit in high school reading or English Language Arts II or III, in order to earn a standard high school diploma, the student must take and pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score.¹³

For students who enter a Florida public school in grade 11 or 12 from out of state or out of country, in order to receive a standard high school diploma students must pass the grade 10 ELA assessment, or earn a concordant score and must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score. Students who have been enrolled in an English for Speakers of Other Languages program for less than two school years and have met all requirements for the standard high school diploma except for passage the grade 10 ELA

⁹ Section 1003.4282(3), F.S.

¹⁰ Florida Department of Education, *Academic Advisement – What Students and Parents need to Know: Students entering grade 9 in 2023-24 and Thereafter*, <https://www.fldoe.org/core/fileparse.php/7764/urlt/aaflyer-2324thereafter.pdf>, (last visited Mar. 5, 2025). The statewide, standardized end-of-course assessment in civics education constitutes 30 percent of the course grade in middle grades civics education. Section 1003.4156(1), F.S.

¹¹ Section 1003.4282(3), F.S. A student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessment and earns a specified score is not required to take the corresponding EOC assessment. Section 1008.22(3)(b)6., F.S.

¹² Florida Department of Education, *Know Your Data Advanced Reports: High School Graduate Pathways*, https://knowyourdatafl.org/views/PK12-PathwaystoGraduation/GRADUATEPATHWAYS-MAP?showAppBanner=false&:display_count=n&:showVizHome=n&:origin=viz_share_link&:isGuestRedirectFromVizportal=y&:embed=y, (last visited, Feb. 25, 2025). Florida Department of Education Emergency Orders No. 2020-EO-1 and No. 2021-EO-2 exempted students in the 2019-20 and 2020-21 graduation cohorts from the statewide standardized assessment requirements.

¹³ Section 1003.4282(6), F.S.

assessment may meet the requirement by satisfactorily demonstrating grade-level expectations on formative assessments.¹⁴

Pre-K-12 Assessments

The Department of Education (DOE) is required to operate a statewide assessment program designed to accurately measure the core curricula content of the state educational standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools.¹⁵

The statewide, standardized CSPM system is used to measure student progress in public schools as well as in the Voluntary Prekindergarten (VPK) program to identify the educational strengths and needs of students. The CSPM system measures student progress in meeting the appropriate expectations in early literacy and mathematics skills and in ELA and mathematics standards.¹⁶

Florida allows a student with a disability to receive an extraordinary exemption from an assessment if the IEP team determines that the student would be prevented from demonstrating mastery of skills measured by a statewide or alternate assessment. The IEP team may submit to the superintendent a written request for an extraordinary exemption at any time during the school year but not later than 60 days prior to the current year's assessment administration.¹⁷

By January of each year, the Commissioner of Education must publish on the DOE's website a uniform calendar that includes the assessment and reporting schedules for, at a minimum, the next two school years. The uniform calendar must be provided to school districts in an electronic format that allows each school district and public school to populate the calendar with, at minimum, the following information when reporting the district assessment schedules must include:

- Whether the assessment is a district-required assessment or a state-required assessment.
- The specific date or dates that each assessment will be administered, including administrations of the CSPM system.
- The time allotted to administer each assessment.
- Whether the assessment is a computer-based assessment or a paper-based assessment.
- The grade level or subject area associated with the assessment.
- The date that the assessment results are expected to be available to teachers and parents.
- The type of assessment, the purpose of the assessment, and the use of the assessment results.
- A glossary of assessment terminology.
- Estimates of average time for administering state-required and district-required assessments, by grade level.¹⁸

School districts are required to establish schedules for the administration of any statewide, standardized assessments and district-required assessments and approve the schedules as an agenda item at a district school board meeting. Each school district is required to publish the

¹⁴ Section 1003.433, F.S.

¹⁵ Section 1008.22(3), F.S.

¹⁶ Section 1008.25, F.S.

¹⁷ Section 1008.212, F.S.

¹⁸ Section 1008.22(7), F.S.

testing schedules on its website using the uniform calendar and submit the schedules to the DOE by October 1 of each year; however, the DOE is not required to post the assessment calendars on its website. Each public school must publish schedules for statewide, standardized assessments and district-required assessments on its website using the uniform calendar.¹⁹

School Improvement and Turnaround

Florida's system of improving low-performing schools is referred to as "school improvement" (SI). Under SI, the lowest-performing schools receive more comprehensive, state-provided intervention and support than schools that are closer to meeting student achievement goals.²⁰ Intervention and support is required for traditional public schools earning a letter grade of "D," or "F."²¹ Upon receipt of its first grade of "D," a school is considered a Tier I SI school in need of support and intervention from the school district and the DOE.²² Intensive intervention and support strategies must be applied through turnaround plans to schools earning two consecutive grades of "D" or a grade of "F."²³

The DOE requires that a school that has been identified as an SI school must meet the following educator staff requirements:

- Provide a literacy coach who has a record of effectiveness as an English Language Arts teacher or coach with a value-added model (VAM) rating of Highly Effective or Effective.
- Provide a mathematics coach who has a record of effectiveness as a mathematics teacher or coach with a VAM rating of Highly Effective or Effective.
- Staff the SI school so that the percentage of instructional personnel with a VAM rating that is below effective is less than the district average if the district has more than five total schools and less than the state average, if the district has five or fewer schools.²⁴

Through section 1003 of Title I, the United States Department of Education administers three grants specifically targeted to improving student performance at schools in need of improvement:

- Unified School Improvement Grant (UniSIG) grant – In the 2023-24 school year, Florida's state allocation was \$72,623,399. The UniSIG grant is allocated to school districts to serve traditional and charter Title I public schools implementing comprehensive support and improvement activities to support the schools SI plan and provide resources to raise student achievement in the lowest-performing schools.
- UniSIG Supplemental Teacher and Administrator Allocation (STAA) - In the 2023-24 school year, Florida's state allocation was \$30,000,000. The UniSIG STAA grant allocates funding for districts to recruit teachers, to schools in need of improvement, who have a rating of highly effective or effective according to VAM. Educators who teach grades K-3, ESE and

¹⁹ *Id.*

²⁰ Section 1008.33, F.S.; *see* rule 6A-1.099811, F.A.C. School Improvement requirements were originally established under the 2002 reauthorization of ESEA, otherwise known as the No Child Left Behind (NCLB) Act of 2001. Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

²¹ Section 1008.33(3), F.S.

²² Rule 6A-1.099811(3)(a), F.A.C.

²³ Section 1008.33(4), F.S.

²⁴ Rule 6A-1.099811, F.A.C. VAM is a statistical model used for the purpose of determining an individual teacher's contribution to student learning growth, only educators teaching ELA and Math in Grades 4-10, Algebra 1 and Geometry receive a VAM score.

ESOL certified teachers, and science teachers are often not eligible for the STAA award because they do not earn a VAM score.

- UniSIG Closing Achievement Gaps Between Subgroups and All Students (CAGSS) In the 2023-24 school year, Florida's allocation was \$98,193,480. The UniSIG CAGSS support Local Educational Agencies that are serving low-performing subgroups of students in schools implementing targeted and comprehensive support and improvement activities.²⁵

Effect of Proposed Changes

Third Grade Retention

The bill modifies s. 1008.25, F.S., to allow a score of level two or higher in English Language Arts for grade 3 on any administration of the CSPM system to be used for promotion of the student to grade 4. This would include the beginning, middle, and end-of-the year administrations (PM1, PM2, and PM3).

Florida's High School Graduation Requirements

The bill modifies ss. 1003.4282 and 1003.433 F.S., to provide that, effective upon becoming law, students are not required to pass the statewide, standardized grade 10 ELA assessment and pass the statewide, standardized Algebra I EOC assessment to earn a standard high school diploma. The bill provides that, effective upon becoming law, a student's performance on the statewide, standardized grade 10 ELA assessment constitutes 30 percent of the student's final course grade. The bill does not remove the requirement for students to take all statewide, standardized assessments or to meet the course requirements for the 24-credit diploma option.

Pre-K-12 Assessments

The bill amends s. 1008.22, F.S., to remove the requirement for school districts and schools to submit their uniform assessment calendar to the DOE. Instead, by November 1, each school district must post an assessment calendar on its website and include it in the district's parent guide. The calendar must indicate whether each assessment is state- or district-required and specify the grade bands or subject areas to which it applies. However, the bill maintains the prohibition against school districts exceeding five percent of a student's total school hours for administering:

- Statewide standardized assessments
- The coordinated screening and progress monitoring system
- District-required local assessments

The bill modifies s. 1008.212, F.S., regarding extraordinary exemptions for assessments to provide that a written request for an extraordinary exemption is subject to district-established deadlines, rather than the previous deadline of 60 days before the assessment. The bill also specifies that the first two administrations of the CSPM system or associated alternative assessments are exempt from extraordinary exemption requirements.

²⁵ Email, Florida Department of Education, Division of Public Schools, (Sept. 19, 2023) (on file with Senate Committee on Education Pre-K-12).

School Improvement and Turnaround

The bill modifies s. 1008.33, F.S., to require the DOE to adopt, in rule, a timeline for approving a district's turnaround plan and a timeline for the release of the UniSIG funding, which should not exceed 20 calendar days after the school improvement plan has been approved by the DOE. The bill also prohibits the use of VAM²⁶ as the sole determinant in recruiting instructional personnel to provide school districts with greater flexibility in staffing schools identified as in need of improvement.

The provisions about high school graduation for in-state and transfer students are effective upon becoming a law.

Instructional Personnel

Present Situation

Personnel Evaluations

Under No Child Left Behind, states were required to develop and implement educator and school leader evaluation systems. The Every Student Succeeds Act (ESSA) removed the requirement, and instead allowed states and districts to develop and implement evaluation systems.²⁷

The Department of Education (DOE) is required to approve and monitor each school district's instructional personnel and school administrator evaluation systems. Evaluation systems for instructional personnel and school administrators must:

- Be designed to support effective instruction and student learning growth, and evaluation results must be used when developing district and school-level improvement plans.
- Provide appropriate instruments, procedures, timely feedback, and criteria for continuous quality improvement of the professional skills of instructional personnel and school administrators, and performance evaluation results must be used when identifying professional development.
- Include a mechanism to examine performance data from multiple sources, including opportunities for parents to provide input performance evaluations when appropriate.
- Identify those teaching fields for which special evaluation procedures and criteria are necessary.
- Differentiate among four levels of performance as follows:
 - Highly effective.
 - Effective.
 - Needs improvement or, for instructional personnel in the first three years of employment who need improvement, developing.
 - Unsatisfactory.

²⁶ VAM is a statistical model used for the purpose of determining an individual teacher's contribution to student learning growth, only educators teaching ELA and Math in Grades 4-10, Algebra 1 and Geometry receive a VAM score.

²⁷ Education Commission on States, *ESSA: Quick Guides on top issues* (2016), <https://www.ecs.org/wp-content/uploads/ESSA-Quick-guides-on-top-issues.pdf>.

- Provide for training and monitoring programs based upon guidelines provided by the department to ensure that all individuals with evaluation responsibilities understand the proper use of the evaluation criteria and procedures.²⁸

Additionally, evaluation criteria must include:

- Performance of students. —At least one-third of a performance evaluation must be based upon data and indicators of student performance, as determined by each school district. This portion of the evaluation must include growth or achievement data of the teacher’s students or, for a school administrator, the students attending the school.
- Instructional practice. —For instructional personnel, at least one-third of the performance evaluation must be based upon instructional practice. based upon each of the Florida Educator Accomplished Practices (FEAP). For instructional personnel who are not classroom teachers, evaluation criteria must be based upon indicators of the FEAP and may include specific job expectations related to student support.
- Instructional leadership. —For school administrators, at least one-third of the performance evaluation must be based on instructional leadership. Evaluation criteria for instructional leadership must include indicators based upon each of the leadership standards adopted by the SBE.
- Other indicators of performance. —For instructional personnel and school administrators, the remainder of a performance evaluation may include, but is not limited to, professional and job responsibilities as recommended by the State Board of Education (SBE) or identified by the district school board and, for instructional personnel, peer reviews, objectively reliable survey information from students and parents based on teaching practices that are consistently associated with higher student achievement, and other valid and reliable measures of instructional practice.²⁹

Beginning in 2011, school districts were required to use the state’s learning growth model (Value-Added Model or VAM) for statewide assessment-related courses in educator evaluations; school districts could also request to use alternatives to the state growth model in educator evaluations.³⁰ In Florida, VAM is used to measure the contribution of a teacher or school to student learning growth. VAM measures the difference in each student’s actual performance on a statewide assessment from that student’s expected performance, which accounts for specific student and classroom factors that impact the learning process. VAM scores are produced for the teachers of the following grades and subjects:

- English Language Arts (4th–10th);
- Mathematics (4th–8th); and
- Algebra 1 (8th and 9th grades only).³¹

In 2017, the requirement that school districts had to use VAM as the component for student performance was removed and school districts were allowed to develop their own measure of student performance.³² Although VAM is not required to be used in school district evaluation

²⁸ Section 1012.34(2), F.S.

²⁹ Section 1012.34(3), F.S.

³⁰ Ch. 2011-011, Laws of Fla.

³¹ Florida Department of Education, *Florida’s Value-Added Models (VAM) Frequently Asked Questions* (2024), available at .

³² Ch.2017-116, Laws of Fla.

systems, the DOE requires that only educators with a highly-effective or effective VAM score are eligible for the UniSIG Supplemental Teacher and Administrator Allocation.³³ The VAM requirement for eligibility, generally excludes educators who teach in grades K-3, ESE and ESOL certified teachers, and science teachers.

Teacher Bonus Awards for CAPE Industry Certifications

The Florida Education Finance Program (FEFP) provides additional full-time equivalent (FTE) student membership funding for students who successfully complete career-themed courses, courses embedded with CAPE industry certifications, or CAPE Digital Tool certificates, and who earn industry certifications included on the CAPE Industry Certification Funding List. The additional FTE calculation follows a structured framework:

- CAPE Digital Tool certificates earned by elementary and middle school students generate 0.025 FTE per student.
- Industry certifications embedded in career courses receive 0.1 FTE per student, or 0.2 FTE per student if the certification has a statewide articulation agreement for college credit.
- Students completing at least three courses and earning an industry certification within a single career and technical education program generate 0.3 FTE per student.
- CAPE Acceleration Industry Certifications that articulate for 15-29 college credit hours generate 0.5 FTE per student, while certifications that articulate for 30 or more college credit hours receive 1.0 FTE per student.³⁴

There is also bonus funding for teachers who provide the instruction for students who earn one of these digital tools or industry certifications. The school district is required to distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional FTE membership:

- A bonus of \$25 per student for certifications weighted at 0.1.
- A bonus of \$50 per student for certifications weighted at 0.2.
- A bonus of \$75 per student for certifications weighted at 0.3.
- A bonus of \$100 per student for certifications weighted at 0.5 or 1.0.³⁵

Bonuses must be awarded to teachers employed by the district in the year the additional FTE membership is calculated. Bonuses are based on the CAPE industry certification weight for the year the student earns the certification.³⁶ Similar teacher bonuses for student success in Advanced Placement, Advanced International Certificate of Education, and International Baccalaureate exams do not require employment with the funds are distributed.³⁷

³³ Email, Florida Department of Education, Division of Public Schools, (Sept. 19, 2023) (on file with Senate Committee on Pre-K-12). The UniSIG STAA grant allocates funding for districts to recruit teachers, to low-performing schools who have a rating of highly effective or effective according to VAM. Educators with a highly-effective VAM rating can receive up to \$15,000 and educators with an effective VAM rating can receive up to \$7,000.

³⁴ Section 1011.62(1), F.S.

³⁵ Id.

³⁶ Id. (Flush left)

³⁷ See s. 1011.62(1)(l)-(n), F.S.

In the 2022-2023 school year, 133,465 students who were enrolled in a registered CAPE Academy³⁸ or in a career-themed course³⁹ earned at least one industry certification.⁴⁰

Salary Schedules and Collective Bargaining

District school boards are required to designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees. Additionally, school districts are required to develop a compensation and salary schedule that includes:

- Grandfathered salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. A district school board is required to base a portion of each employee's compensation upon performance demonstrated under the districts evaluation system and must provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.
- Performance salary schedules to be used as the basis for paying all school employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered salary schedule to the performance salary schedule. Performance salary schedules are required to provide annual salary adjustments for instructional personnel and school administrators based upon the personnel evaluation.⁴¹

School districts are prohibited from using advanced degrees in setting a salary schedule for instructional personnel or school administrators hired on or after July 1, 2011, unless the advanced degree is held in the individual's area of certification and is only a salary supplement.⁴²

School districts engage in collective bargaining with employee unions, but certain responsibilities cannot be negotiated away. Collective bargaining agreements cannot prevent a school district from exercising its authority regarding:

- Providing incentives to effective and highly effective teachers.
- Implementing intervention and support strategies to address low student performance and improve academic outcomes and attendance.
- Implementing student discipline policies, including reviewing a student's abilities, past performance, behavior, and needs.
- Implementing school safety plans and requirements.
- Implementing staff and student recognition programs.
- Distributing correspondence to parents, teachers, and the community related to daily school and district operations.

³⁸ Section 1003.493(1)(a), F.S. A "career and professional academy" is a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Commerce.

³⁹ Section 1003.493(1)(b), F.S. A "career-themed course" is a course, or a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education.

⁴⁰ Florida Department of Education, *State Secondary: Career, Technical, and Adult Education 2022-2023 Summary*, available at <https://www.fldoe.org/file/9904/2223DataSecondary.pdf>, at 5 (last visited Mar. 5, 2025).

⁴¹ Section 1012.22(1), F.S.

⁴² Section 1012.22(1)(c), F.S.

- Providing any required notices or copies of information related to district school board or district operations, which is readily available on the school district's website.
- The school district's calendar.⁴³

Educator Contracts

Each person employed as a member of the instructional staff in any district school system is entitled to and must receive a written contract.⁴⁴ Three types of contracts are used to employ instructional personnel in Florida—continuing contracts, professional service contracts, and annual contracts.

An annual contract is an employment contract for a period of no longer than one school year that a district school board may choose to award or not award without cause. As of July 1, 2011, instructional personnel may only be employed on an annual contract basis. For newly hired instructional personnel, beginning July 1, 2011, school districts are required to award a probationary contract and after successful completion of the probationary contract, the district school board may award an annual contract. An annual contract may be awarded only if the employee:

- Holds an active professional certificate or temporary certificate.
- Has been recommended by the district school superintendent for the annual contract based upon the individual's evaluation and approved by the district school board.
- Has not received two consecutive annual performance evaluation ratings of unsatisfactory, two annual performance evaluation ratings of unsatisfactory within a 3-year period, or three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory.⁴⁵

Instructional personnel hired on or after July 1, 1984, and up to July 1, 2011, were awarded professional service contracts after three years of probationary service on annual contracts. Professional service contracts were automatically renewed each year, unless the employee was charged with unsatisfactory performance based upon his or her annual performance evaluation or the employee's performance evaluations indicate chronically ineffective performance.⁴⁶

Instructional personnel hired before July 1, 1984, entered into continuing contracts upon meeting eligibility requirements. After completing three years of probationary service on annual contracts. A continuing contract entitled the employee to continued employment without the necessity of annual renewal until discontinuation of the position, resignation, dismissal, or removal from continuing contract status.⁴⁷

⁴³ Section 1012.22(3), F.S.

⁴⁴ Section 1012.33(1), F.S.

⁴⁵ Section 1012.335, F.S.

⁴⁶ Section 1012.33(3), F.S.

⁴⁷ Section 231.36(3)(e), F.S. (1981). A continuing contract employee may be dismissed or returned to annual contract status for a period of three years based upon the recommendation of the district school superintendent, school principal, or a majority of the school board. Section 1012.33(4)(b), F.S.; see also s. 231.36(4), F.S. (1981).

Nondegreed Teachers of Career Education

Each district school board is required to establish the minimal qualifications for part-time and full-time nondegreed teachers of career programs. The qualifications for such teachers must require the filing of a complete set of fingerprints for background screening and documentation of:

- A high school diploma or the equivalent.
- Completion of three years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach.
- For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students.
- Completion of an industry certification when state or national industry certifications are available and applicable.⁴⁸

Teacher Apprenticeship Program

In 2023, the legislature created the Teacher Apprenticeship Program (TAP).⁴⁹ The TAP was created as an alternative pathway for an individual to enter the teaching profession. The DOE is required to administer the program in accordance with legislative intent regarding apprenticeship training⁵⁰ provided for in law.

To meet the minimum eligibility requirements to participate in the TAP, a candidate must have:

- Received an associate degree from an accredited postsecondary institution.
- Earned a cumulative grade point average (GPA) of 2.5 in that degree program.
- Successfully passed a background screening pursuant to law.
- Received a temporary apprenticeship certificate.⁵¹

As a condition of participating in the TAP, an apprentice teacher must be appointed by the district school board as an education paraprofessional and must commit to spending the first two years in the classroom of a mentor teacher using team teaching strategies as specified in law⁵² and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.⁵³

Educator Certification

Educational personnel in public schools must possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence to

⁴⁸ Section 1012.39(1), F.S.

⁴⁹ Ch. 2023-38, s. 6, Laws of Fla.

⁵⁰ Section 446.011, F.S. provides that it is the intent of the State of Florida to provide educational opportunities for its residents so that they can be trained for trades, occupations, and professions suited to their abilities; to promote the mode of training known as apprenticeship in occupations throughout industry in the state that require physical manipulative skills.

⁵¹ Section 1012.555(2), F.S.

⁵² “Team teaching” or “co-teaching” means two or more teachers are assigned to a group of students and each teacher is responsible for all the students during the entire class period. Section 1003.03(5) (c), F.S.

⁵³ Section 1012.555(2), F.S.

demonstrate an acceptable level of professional performance.⁵⁴ For a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the DOE.⁵⁵

The SBE designates the certification subject areas, establishes competencies, and adopts rules by which educator certificates are issued by the DOE to qualified applicants.⁵⁶

To seek educator certification, a person must attest to uphold the principles of the United States and meet other general eligibility requirements, which include receipt of a bachelor's or higher degree from an approved postsecondary institution and minimum age, background screening, moral character, and competence requirements.⁵⁷

A professional teaching certificate is valid for five school fiscal years and is renewable. A professional certificate is awarded to an applicant who meets the basic eligibility requirements for certification and demonstrates mastery of:

- General knowledge;
- Subject area knowledge; and
- Professional preparation and education competence.⁵⁸

Acceptable means of demonstrating mastery of general knowledge include:

- Achievement of passing scores on the general knowledge (GK) examination;
- Documentation of a valid professional standard teaching certificate issued by another state;
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards (NBPTS) or a national educator credentialing board approved by the SBE;
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that meets certain criteria;
- Achievement of passing scores on national or international examinations with comparable verbal, writing, quantitative reasoning, and rigor as the GK exam, including but not limited to Graduate Record Examination; or
- Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.⁵⁹

A school district that employs an individual who does not achieve passing scores on any subtest of the GK examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. The requirement of mastery of general knowledge must be waived for an individual who has been

⁵⁴ Section 1012.54, F.S.

⁵⁵ Sections 1012.55(1) and 1002.33(12), F.S.

⁵⁶ Section 1012.55(1), F.S.

⁵⁷ Section 1012.56(2), F.S., and Rule 6A-4.003, F.A.C.

⁵⁸ Section 1012.56, F.S.

⁵⁹ Section 1012.56(3), F.S.

provided three years of support and instruction and who has been rated effective or highly effective for each of the last three years.⁶⁰

The acceptable means of demonstrating mastery of subject area knowledge include passing a subject area or other alternative examination as approved by the SBE, having a valid teaching certificate from another state, having a valid certificate from the NBPTS, or a passing score or program completion of a specified defense language proficiency test or program.⁶¹

A candidate for a professional certificate may demonstrate professional preparation and education competence through the completion of a teacher preparation program and a passing score on the corresponding professional education competency exam required by the SBE.⁶² Other means include a valid certification from another state, postsecondary teaching experience, or completion of a professional learning certification program.⁶³

For the renewal of a professional certificate, applicants must earn a minimum of six college credits or 120 inservice points or a combination thereof, which must include at least one college credit or 20 inservice points in teaching students with disabilities. All renewal credits must be earned during the validity period and prior to the expiration date of the current professional certificate.⁶⁴ In lieu of college credit or inservice points, applicants may renew a subject area specialization by passing a state board approved Florida-developed subject area examination.⁶⁵

For renewal of a professional certificate in any area of certification identified by SBE rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must earn a minimum of two college credits or 40 inservice points in evidence-based instruction and interventions grounded in the science of reading.⁶⁶

A temporary teaching certificate is valid for five school fiscal years and is nonrenewable. The DOE is required to issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer and is required to electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant with an official statement of status of eligibility at the time the certificate is issued.⁶⁷

The DOE must issue a temporary certificate to any applicant who:

⁶⁰ *Id.* (flush left)

⁶¹ Section 1012.56(5), F.S. and Rule 6A-4002(4), F.A.C.

⁶² Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida, incorporated by reference* in rule 6A-4.0021, F.A.C.

⁶³ Section 1012.56(6), F.S.

⁶⁴ Section 1012.585(3), F.S. and Florida Department of Education, *Florida Educator Certification Renewal Requirements*, <https://www.fldoe.org/teaching/certification/renewal-requirements/> (last visited Mar. 5, 2025).

⁶⁵ Section 1012.585(3), F.S.

⁶⁶ *Id.* The evidence-based instruction and interventions grounded in the science of reading must be specifically designed for students with characteristics of dyslexia, including the use of explicit, systematic, and sequential approaches to reading instruction, developing phonological and phonemic awareness, decoding, and implementing multisensory intervention strategies.

⁶⁷ Section 1012.56, F.S.

- Completes applicable subject area content requirements or demonstrates mastery of subject area knowledge by, for example, successful completion of an approved exam; and
- Holds an accredited degree or a degree approved by the DOE at the level required for the subject area specialization in SBE rule.⁶⁸

A person issued a temporary certificate must be assigned a teacher mentor for a minimum of two school years after commencing employment. Each teacher mentor selected must:

- Hold a valid professional certificate;
- Have earned at least three years of teaching experience in prekindergarten through grade 12; and
- Have earned an effective or highly effective rating on the prior year's performance evaluation.⁶⁹

A classroom teacher under a temporary certificate has the validity period of the certificate to complete the remaining requirements of general knowledge and professional preparation and education competence in preparation for application for a professional certificate.⁷⁰

Effect of Proposed Changes

Personnel Evaluations

The bill modifies s. 1012.34, F.S., to remove the requirement that a school district receive approval from the DOE on its personnel evaluation systems; however, school districts must still submit the personnel evaluation systems to the DOE. The bill makes changes to the required components in a school district's evaluation system by:

- Providing school districts flexibility on how to evaluate the instructional practice components for educators and instructional leadership components.
- Requiring that at least half of a performance evaluation be based upon data and indicators of student performance.

The bill also prohibits the use of VAM as the sole determinant for any incentive pay for instructional personnel or school administrators.

Teacher Bonus Awards for CAPE Industry Certifications

The bill modifies s. 1011.62, F.S., to remove the requirement that a teacher must be employed by the district at the time the additional FTE membership calculation is made to receive a CAPE industry certification bonus.

Salary Schedules and Collective Bargaining

The bill modifies s. 1012.22, F.S., to clarify that an advanced degree used for salary adjustments does not have to be solely in the individual's area of certification, instead, it allows for flexibility

⁶⁸ Section 1012.56(7), F.S. As specified in law, alternative pathways for a temporary certificate are available for military service members and participants in the Teacher Apprenticeship Program.

⁶⁹ Section 1012.56(7), F.S.

⁷⁰ Florida Department of Education, *Upgrading from the Temporary to the Professional Certificate*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/moving-from-the-temporary-to-the-profe.stml> (last visited Feb. 25, 2025).

by permitting a degree in a related field of study which may include a master's degree or higher in the area of certification or teaching assignment, or an advanced degree in another field with a minimum of 18 graduate semester hours related to the area of certification or teaching assignment.

The bill also specifies that collective bargaining may not preclude a district from providing salary supplements based on identified critical statewide or district needs.

Educator Contracts

The bill modifies s. 1012.335, F.S., to allow instructional personnel hired on or after July 1, 2011, to be offered, beginning July 1, 2026, an instructional multiyear contract. An instructional multi-year contract is an employment contract for a period not to exceed three years which the district school board may choose to award upon completion of a probationary contract and at least one annual contract. The instructional multi-year contract may only be awarded to an employee if he or she:

- Holds an active professional certificate or temporary certificate;
- Has been recommended by the district school superintendent for the instructional multi-year contract based upon the individual's evaluation under and approved by the district school board; and
- Has not received an annual performance evaluation rating of unsatisfactory or needs improvement.

The bill requires that an employee awarded an instructional multi-year contract who receives an annual performance evaluation rating of unsatisfactory or needs improvement must be returned to an annual contract in the following school year. Such evaluation rating must be included with the evaluation ratings under subsequent annual contracts for determinations of just cause.⁷¹

Nondegreed Teachers of Career Education

The bill modifies s. 1012.39, F.S., to provide flexibility from certification requirements for school boards in hiring non-degree CTE teachers by removing the 3-year experience and specified training requirements in favor of a minimum level established by the district school board.

Teacher Apprenticeship Program

The bill modifies s. 1012.555, F.S., to expand eligibility for the teacher apprenticeship program by allowing candidates who are enrolled in a postsecondary institution to be eligible for the apprenticeship program, instead of requiring the candidate to have earned an associate degree prior to being eligible. The bill also expands eligibility for the teacher apprenticeship program by authorizing individuals who are working in the district as a paraprofessional but not necessarily

⁷¹ Section 1012.33, F.S. Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education: immorality, misconduct in office, incompetency, two consecutive annual performance evaluation ratings of unsatisfactory, two annual performance evaluation ratings of unsatisfactory within a 3-year period, three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory, gross insubordination, willful neglect of duty, or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any crime involving moral turpitude.

employed through the district, to enroll in the teacher apprenticeship program. This would allow paraprofessionals who are contracted by the district through a staffing agency to qualify as a teacher candidate.

Educator Certification

The bill modifies s. 1012.56, F.S., to specify that the requirement to demonstrate mastery of general knowledge applies only to individuals serving as classroom teachers thereby removing from the requirement instructional personnel such as librarians/media specialists, school counselors, and social workers.

The bill authorizes school districts or regional education consortia⁷² to issue temporary certificates and requires the DOE to adopt reporting requirements regarding the award of such certificates.

The bill also adds a requirement for applicants of a temporary apprenticeship certificate to complete the subject area content requirements or demonstrate mastery of subject area knowledge.

The bill modifies the renewal of educator certification requirements in s. 1012.585, F.S., by:

- Establishing an additional professional certificate with a 10-year validity period. Applicants for the 10-year professional certificate must have been awarded at least one 5-year professional certificate and must have been rated highly effective in the first four years of the 5-year validity period of his or her professional certificate.
- Specifying that applicants rated effective or highly effective for the first nine years of the 10-year validity period of his or her professional certificate are eligible to renew the 10-year professional certificate and must earn a minimum of nine college credits or 180 inservice points or a combination thereof to renew the 10-year professional certificate. The applicant must earn a minimum of five college credits or 100 inservice points or a combination thereof within the first five years of the 10-year professional certificate. An applicant who does not meet the initial or renewal requirements for a 10-year professional certificate may be awarded a 5-year professional certificate.
- Authorizing district school boards to reduce the renewal requirements for applicants on their initial 5-year professional certificate by one credit or 20 inservice hours if the applicant has been rated highly effective in at least three years of the 5-year validity period of his or her initial professional certificate.

School District Operations

Present Situation

District School Board Policymaking

District school boards derive their primary policymaking authority from the Florida Constitution, which grants them the power to operate, control, and supervise all free public schools within the

⁷² A regional education consortium is a non-profit, educational service agency established to provide cooperative services to small and rural member districts. The regional education consortia in Florida are the North East Florida Educational Consortium, Heartland Educational Consortium, and the Panhandle Area Educational Consortium.

district and to determine the local school tax rate.⁷³ The Administrative Procedures Act (APA) applies to district school boards only when they act pursuant to statutory authority rather than their constitutional authority.⁷⁴ Policies adopted under constitutional authority are subject to judicial review, typically in the local circuit court.⁷⁵

The Legislature also identifies the general powers of district school boards. These include, for example, the authority to:

- Determine policies and programs necessary for the efficient operation and general improvement of the district school system, provided they align with state law and rule.
- Adopt rules under the APA to implement their statutory duties and supplement those established by the SBE and commissioner.
- Establish standards and policies that ensure every student has access to a comprehensive education program, including language arts, mathematics, science, social studies, health, physical education, foreign languages, and the arts, as outlined by state academic standards.⁷⁶

When promulgating rules under the APA, district school boards are required to notify the public:

- By publication in a newspaper in the affected area or on a publicly accessible website;
- By mail to all persons who have made requests for advance notice of its proceedings and to organizations representing persons affected by the proposed rule; and
- By posting in appropriate places so that those particular classes of persons to whom the intended action is directed may be duly notified.⁷⁷

Unlike state agencies, which must adhere to the APA, local government entities—including counties, municipalities, and special districts—are not subject to APA rulemaking procedures. Instead, they must comply with Florida’s open government laws, including:

- Florida’s Sunshine Law, which requires all meetings of local government boards to be open to the public, with reasonable notice provided.⁷⁸
- Requirements for notices of public meetings to include information on how affected persons may appeal decisions made at the meeting.⁷⁹
- Requirements for public participation, which guarantee the public a reasonable opportunity to be heard before local governing bodies make decisions.⁸⁰

Charter schools are not required to follow rulemaking procedures prescribed by the APA.⁸¹

Instructional Materials Purchase and Reporting

Each district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students. Adequate instructional materials is defined as a

⁷³ FLA. CONST. art. IX, s. 4(b).

⁷⁴ See s. 120.52(1)(a) and (6), F.S. See also *Escambia Cnty. Sch. Bd. v. Warren*, 337 So. 3d 496, 500-502 (Fla. 1st DCA 2022) (Tanenbaum, J., concurring).

⁷⁵ See *Escambia Cnty. Sch. Bd. v. Warren*, 337 So. 3d 496, 500-502 (Fla. 1st DCA 2022) (Tanenbaum, J., concurring).

⁷⁶ Section 1001.41, F.S.

⁷⁷ Section 120.81(1), F.S.

⁷⁸ Section 286.011, F.S.

⁷⁹ Section 286.0105, F.S.

⁸⁰ Section 286.0114, F.S.

⁸¹ Section 1002.33(16), F.S.

sufficient number of student or site licenses or set of materials that are available in bound, unbound, kit or package form and may consist of textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media and computer courseware or software that serve as the basis for instruction for each student in the core subject areas. The core subject areas are mathematics, language arts, social studies, science, reading and literature.⁸² Each district school board is required to purchase current instructional materials to provide for each student in grades K-12 with a major tool of instruction for core courses. Purchases are required to be made within the first three years after the effective date of the adoption cycle for materials adopted by the state.⁸³

Each district school board or a consortium of school districts may implement an instructional materials program that includes the review, recommendation, adoption, and purchase of instruction materials.⁸⁴ Procedures for the adoption of instructional materials by school districts or a consortium of school districts are specified in law.⁸⁵

Student Online Personal Information Protection Act

K-12 schools and district school boards rely on hundreds of technology service providers each school year for various operational and educational needs. These providers offer services such as data storage, educational games, learning management systems, attendance tracking, and other essential functions.⁸⁶ The privacy protections that each company must implement can vary based on the type and sensitivity of student data they hold and how it is collected, used, or shared. Contracting individually with each service provider to ensure this protection is often extremely difficult for both district school boards and companies.⁸⁷

The Student Online Personal Information Protection Act (SOPIPA) establishes clear restrictions on operators of websites, online services, or applications used for K-12 school purposes. Specifically, SOPIPA prohibits operators from collecting, disclosing, or selling student data, or from using it for targeted advertising. Violations of SOPIPA constitute deceptive and unfair trade practices under the Florida Deceptive and Unfair Trade Practices Act, with enforcement authority vested solely in the Department of Legal Affairs.⁸⁸

While SOPIPA directly regulates operators' handling of student data, an existing SBE rule imposes additional obligations on district school boards and charter schools. This rule requires that all contracts or agreements with third-party vendors or service providers contain additional provisions safeguarding the privacy of education records and personally identifiable student information.⁸⁹

⁸² Section 1006.28, F.S.

⁸³ Section 1006.40(3), F.S.

⁸⁴ Section 1006.283(1), F.S.

⁸⁵ Section 1006.28(2), F.S.

⁸⁶ Student Privacy Compass, *The First National Model Student Data Privacy Agreement Launches*, <https://studentprivacycompass.org/the-first-national-model-student-data-privacy-agreement-launches/> (last visited Mar. 5, 2025).

⁸⁷ *Id.*

⁸⁸ Section 1006.1494, F.S.

⁸⁹ Rule 6A-1.09550(4), F.A.C.

Internal Auditor

All district school boards are required to conduct an annual financial audit of their accounts and records by an independent certified public accountant.⁹⁰ In addition, school districts receiving annual federal, state, and local funds in excess of \$500 million are required to employ an internal financial auditor.⁹¹

School Financial Report

Parents of public school students have the right to an easy-to-read report card about the school's grade designation or, if applicable, the school's improvement rating, and the school's accountability report, including the school financial report. The school financial report must be provided to the parents and indicate the average amount of money expended per student in the school, which must also be included in the student handbook or a similar publication.⁹²

Maximum Class Size

Each year, on or before the October student membership survey, the following class size maximum number of students assigned to each teacher who is teaching a core-curricula course⁹³ in a public school classroom may not exceed:

- 18 students in prekindergarten through grade 3;
- 22 students in grades 4 through 8; and
- 25 students in grades 9 through 12.⁹⁴

These class size maximums must be maintained after the October student membership survey. District school boards have the flexibility to determine whether it is warranted to assign a student enrolled after the October student membership survey to a class that will exceed the maximum size. If determined by the district school board to exceed the class size maximums after the October membership survey, the district school board is required to develop a plan to ensure that the school will be in full compliance with the maximum class size limits by the next October student membership survey. This plan is not required to be submitted to the DOE.⁹⁵

The DOE must calculate compliance with class size maximums for traditional schools, charter schools, and district-operated schools of choice using data from the October student membership survey.⁹⁶ A memorandum is sent from the DOE to notify school districts and charter schools of their class size compliance and the details of the process and timeline for appeals and submission of compliance plans.⁹⁷ In 2023, the Legislature repealed the class size reduction penalty calculation for schools exceeding the class size limits.⁹⁸ The certified compliance plan school

⁹⁰ Section 218.39, F.S.

⁹¹ Section 1001.42(12), F.S.

⁹² Section 1002.20(16), F.S.

⁹³ Section 1003.01(5), F.S.

⁹⁴ Section 1003.03(1), F.S.

⁹⁵ Section 1003.03, F.S.

⁹⁶ Section 1003.03(2), F.S.

⁹⁷ Florida Department of Education, *Class Size Reduction Memorandums*, <https://www.fldoe.org/finance/budget/class-size/class-size-reduction-memorums.shtml> (last visited Mar. 5, 2025).

⁹⁸ Ch. 2023-104, s. 1, Laws of Fla.

districts and charter schools found out of compliance are required to submit to the DOE are used to reduce their class size reduction penalty.⁹⁹

Enforcement of School Attendance

Florida school districts are required to take an active role in promoting and enforcing attendance as a means of improving student performance. Each district school superintendent is responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. Superintendents are tasked with recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, for students enrolled. The policies are required to ensure that public schools track excused and unexcused absences and contact parents in the case of any unexcused absences or if the reason for the absence is unknown, to prevent the development of patterns of nonattendance.¹⁰⁰

Each public school is required to take steps to promote and enforce regular school attendance. These steps include:

- Determining the reason for each unexcused absence or absence where the reason is unknown.
- Reporting by the student's primary teacher to the school principal or designee if a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period.
- Referring, when there is a pattern of nonattendance, the case to the school's child study team to determine if early patterns of truancy are developing.
- Meeting with parents to identify remedies.
- Implementing additional steps if the problem is not resolved including seeking criminal prosecution for non-compliance.¹⁰¹

Effect of Proposed Changes

District School Board Policymaking

The bill amends s. 120.81, F.S., to remove district school boards from the APA rulemaking requirements, aligning their rulemaking procedures with those of other similarly situated local government entities. The bill clarifies that district school boards must adopt rules with public input at a public meeting, rather than through APA rulemaking procedures.

By removing APA rulemaking requirements, the bill creates consistency in how district school boards and other local governments adopt rules. Public notice and participation requirements will remain governed by Florida's Sunshine Law and related provisions, ensuring continued public access to school board policymaking processes. Legal challenges to school board rules would likely be brought in circuit court, similar to municipal or county rule challenges.

⁹⁹ Florida Department of Education, *Memorandum, Reallocation and Restoration Calculations for 2022-2023 Class Size Operation Categorical Program* (June 26, 2023), available at <https://www.fldoe.org/core/fileparse.php/7603/urlt/2022-23-Class-Size-Operating-Categorical-Reallocation-and-Restoration-Calculations.pdf> (last visited Mar. 5, 2025).

¹⁰⁰ Section 1003.26, F.S.

¹⁰¹ *Id.*

Instructional Materials Purchase and Reporting

The bill amends s. 1006.40, F.S., to authorize the district school board to purchase instructional materials for up to five years, rather than three, within the completion of the standard 5- year adoption cycle of those materials.

Student Online Personal Information Protection Act

The bill amends s. 1006.1494, F.S., to clarify that nothing in the Student Online Personal Information Protection Act requires a K-12 school, school district, or district school board to include any additional provisions in contracts with operators or vendors.

Internal Auditor

The bill amends s. 1001.42, F.S., to remove the requirement that school districts receiving annual federal, state, and local funds in excess of \$500 million employ an internal financial auditor. The bill maintains the requirement for all school districts to have an annual financial audit conducted by an independent certified public accountant.

School Financial Report

The bill amends s. 1002.20, F.S., to remove the requirement that the school financial report be included in the student handbook or similar publication. The bill requires the DOE to produce the easy-to-read report card about the school's grade designation or improvement rating, the school's accountability report, and the school financial report and make the reports for each school available on the DOE's website in a prominent location. The bill requires each district school board to provide a link to these reports for parent access.

Maximum Class Size

The bill amends s. 1003.03, F.S., by removing the requirement that school districts exceeding the maximum class size limits submit a certified compliance plan to the DOE. The compliance plan is no longer needed as there is no longer a financial penalty for failure to comply with class size maximum limits. The bill maintains the requirement for school districts over the class size limits after the October student membership survey to develop a plan to be in full compliance with the class size limits by the following October student membership survey.

Enforcement of School Attendance

The bill amends s. 1003.26(1), F.S., to allow district school boards to adopt a period that is shorter than the current 90-calendar-day period to take action when there are 10 unexcused absences or absences that the reasons are unknown. The change may allow for or encourage earlier intervention for students who may be developing a pattern of truancy.

District School Board Facilities

Present Situation

District School Board Educational Facilities Plans

Annually, prior to the adoption of the district school budget, each district school board is required to prepare a tentative district educational facilities plan that includes long-range planning for facilities needs over 5-year, 10-year, and 20-year periods. Florida law enumerates specific requirements that the district school board must evaluate at over the course of the plan, including for 5-year, 10-year, and 20-year periods.¹⁰²

The plan is required to include a financially feasible district facilities work program for a 5-year period. The work program is required to include:¹⁰³

- A schedule of major repair and renovation projects necessary to maintain the educational facilities and ancillary facilities of the district.
- A schedule of capital outlay projects necessary to ensure the availability of satisfactory student stations for the projected student enrollment in K-12 programs, with detailed specifications set forth in state law.
- The projected cost for each project identified in the district facilities work program, including a schedule of cost comparisons for the planned cost of each new student station compared with the low, average, and high cost of facilities constructed throughout the state.
- A schedule of estimated capital outlay revenues from each currently approved source which is estimated to be available for expenditure on the projects included in the district facilities work program.
- A schedule indicating which projects included in the district facilities work program will be funded from current revenues.
- A schedule of options for the generation of additional revenues by the district for expenditure on projects identified in the district facilities work program which are not funded with currently approved revenue sources.
- The number of existing vacant classrooms in each school that the district does not intend to use or does not project will be needed for educational purposes for the following school year.¹⁰⁴
- Prototype construction and design to be used for the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school.¹⁰⁵

To the extent available, the tentative district educational facilities plan is required to be based on information produced by the state demographic, revenue, and education estimating conferences. Not less than once every five years, the district school board must have an audit conducted of the board's educational planning and construction activities. An operational audit conducted by the Auditor General satisfies this requirement.¹⁰⁶

¹⁰² Section 1013.35, F.S.

¹⁰³ Section 1013.35(2), F.S.

¹⁰⁴ Section 1002.33(18), F.S.

¹⁰⁵ Section 1013.45(4), F.S.

¹⁰⁶ Section 1013.35(2), F.S.

Annually, the district school board is required to consider and adopt the tentative district educational facilities plan. The adopted district educational facilities plan must:

- Be a complete, balanced, and financially feasible capital outlay financial plan for the district.
- Set forth the proposed commitments and planned expenditures of the district to address the educational facilities needs of its students and to adequately provide for the maintenance of the educational plant and ancillary facilities, including safe access ways from neighborhoods to schools.¹⁰⁷

Charter schools share in district school board capital outlay funding but are not subject to any of the facilities plan requirements.¹⁰⁸

Cost Per Student Station Limitation

In Florida, construction costs for traditional K-12 public school facilities are reported based on the cost per student station.¹⁰⁹ In 2005, the DOE conducted a study on overall inflation of school construction costs, including the Consumer Price Index (CPI) and other factors. The cost per student station levels adopted in 2006 were based on the DOE's study recommendations and is adjusted to reflect increases and decreases in the CPI.¹¹⁰ The DOE and the Office of Economic and Demographic Research (EDR)¹¹¹ are required to work together to calculate and disseminate new statutory caps.¹¹²

The forecast by EDR for the July 2025 cost per student station limits are:

- \$29,103 for an elementary school.
- \$31,428 for a middle school.
- \$40,823 for a high school.¹¹³

Except for certain educational facilities and sites subject to a lease-purchase agreement that may be paid for by a district school board levy,¹¹⁴ or funded solely through local impact fees, a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station that exceeds these amounts. The cost per student station includes, for example, contract costs, fees of architects and engineers, and the cost of furniture and equipment. The cost per student station does not include the cost of purchasing or leasing the site for the construction, legal and administrative costs, the cost of related site or offsite improvements, and costs for school safety and hardening items and other capital

¹⁰⁷ Section 1013.35(4), F.S.

¹⁰⁸ Sections 1002.33 and 1013.62, F.S.

¹⁰⁹ Section 1013.64(6), F.S.

¹¹⁰ Office of Economic and Demographic Research, *Review of Florida's Cost Per Student Station* (January 2017), available at <http://edr.state.fl.us/content/special-research-projects/education/CostPerStudentStation.pdf>, at 6 (last visited Mar. 5, 2025).

¹¹¹ The Office of Economic and Demographic Research is a research arm of the Legislature principally concerned with forecasting economic and social trends that affect policy making, revenues, and appropriations. Office of Economic and Demographic Research, *Welcome*, <http://edr.state.fl.us/Content/> (last visited Mar. 5, 2025).

¹¹² Section 1013.64(6), F.S.

¹¹³ Office of Economic and Demographic Research, *Student Station Cost Factors* (February 2025), available at <http://edr.state.fl.us/Content/conferences/peco/studentstation.pdf> (last visited Mar. 5, 2025).

¹¹⁴ Section 1011.71(2), F.S., sets forth the guidelines for authorized district school board lease-purchase agreements.

construction items approved by the school safety specialist to ensure building security for new educational, auxiliary, or ancillary facilities.¹¹⁵

An unfinished construction project for new construction of educational plant space started on or before July 1, 2028, is exempt from the total cost per student station requirements.¹¹⁶

Educational Facilities Contracting and Construction Techniques

The State Requirements for Educational Facilities (SREF) is the uniform statewide building code for the planning and construction of public educational facilities and ancillary plants.¹¹⁷ District school boards must adhere to the SREF when planning and constructing new facilities.

Generally, SREF standards are premised on providing enhanced safety for occupants and increasing the life span of the extensive, publicly funded infrastructure of Florida's public school districts.¹¹⁸ SREF requires district school boards to employ the services of an architect for all construction projects for which the construction cost is at least \$300,000.¹¹⁹

The law imposes additional requirements for the employment of an architect by district school boards. District school boards are required to use the services of a registered architect for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required, however, for a minor renovation project for which the construction cost is less than \$50,000 or for the placement or hookup of relocatable educational facilities.¹²⁰

District school boards are required to compare the following life-cycle costs of materials used by competing providers when constructing or expanding school capacity:

- The anticipated annual energy consumption;
- The relative resistance to damage by wind loads and associated debris;
- The resistance to wood-destroying organisms;
- The perpetual maintenance costs;
- The resistance to fire; and
- A comparison of the annual insurance costs.¹²¹

Use of Airspace for Joint-Use Development and Capital Outlay

District school boards, Florida College System institution boards, and state university boards may sell, lease, or encumber airspace for joint-use development, including nonpublic uses, with proceeds reinvested in fixed capital outlay projects. Funds may support renovations, remodeling,

¹¹⁵ Section 1013.64(6), F.S. Such safety improvements include the cost for securing entries, checkpoint construction, lighting specifically designed for entry point security, security cameras, automatic locks and locking devices, electronic security systems, fencing designed to prevent intruder entry into a building, or bullet-proof glass.

¹¹⁶ *Id.*

¹¹⁷ The State Requirements for Educational Facilities (SREF) is incorporated in Rule 6A-2.0010, F.A.C., The SREF does not apply to charter schools. Section 1002.33(18), F.S.

¹¹⁸ *See, e.g.*, s. 1013.12, F.S. (casualty, safety, sanitation, and fire safety standards and inspection of property) and s. 1013.451, F.S. (life-cycle cost comparison).

¹¹⁹ Florida Department of Education, *State Requirements for Educational Facilities § 4.3(7)(c)* (2014), available at <https://flrules.org/Gateway/reference.asp?No=Ref-04664>, at 58.

¹²⁰ Section 1013.45(4), F.S.

¹²¹ Section 1013.451(1), F.S.

or new construction, though new facilities at colleges and universities require legislative approval. Any joint-use structure must comply with all applicable regulations, and educational facilities within these structures remain under their governing boards' oversight.¹²²

Effect of Proposed Changes

District School Board Educational Facilities Plans

The bill amends s. 1013.35, F.S., to replace the specifically enumerated requirements for school board educational facilities plans and work programs with the general requirement that each school board adopt a facilities plan to meet the needs of the district, with public participation. The bill maintains the required 5-year audit of the board's educational planning and construction activities, and maintains the requirements for the general balanced nature of the plans, developed through public participation and local cooperation.

The bill makes corresponding changes in ss. 1002.33 and 1013.41, F.S., to reflect the removal of the requirement for district school boards to include a specific 5-year work program in the school board educational facilities plan.

These changes may bring district school boards closer to the operational flexibility of charter schools, which typically have more autonomy in facility planning and management.

Cost Per Student Station Limitation

The bill amends s. 1013.64, F.S., to make the cost per student station exemption permanent and remove cost per student station limitations on district school board construction projects. The changes in the bill provide greater local control in building durable and safe facilities for students, approaching the flexibility in construction of charter schools. The bill also provides additional options for funding construction by removing the restriction on local or certain grant revenue for facility construction. The bill makes a conforming change in s. 1013.356, F.S., to remove the cost per student station limitation for facilities projects funded by an educational facilities benefit district or community development district.

Educational Facilities Contracting and Construction Techniques

The bill amends s. 1013.45, F.S., to remove the requirement for school boards to employ an architect for the erection, enlargement, or alteration of any educational facility, or for minor renovation projects in which the cost of construction is at least \$50,000. Instead, district school boards would adhere to applicable building codes when determining architectural requirements.

The bill repeals s. 1013.451, F.S., to remove the requirement for school boards to compare specific life-cycle costs of materials used by competing providers when constructing or expanding school capacity.

Use of Airspace for Joint-Use Development and Capital Outlay

The bill amends s. 1013.19, F.S., by removing the requirement that proceeds from the sale or lease of airspace by district school boards must be used for fixed capital outlay. Removing this

¹²² Section 1013.19, F.S.

requirement may provide district school boards with greater flexibility in allocating these funds toward operational or capital expenses.

School District Finance and Budgets

Present Situation

Cost Accounting and Reporting for School Districts

School districts must account for all state, local, and federal funds on a school-by-school and district-aggregate basis using cost accounting and reporting guidelines specified in law. District reporting is required as prescribed in law or in a manual developed by the Department of Education (DOE).¹²³

School districts are required to provide cost reporting on a district-aggregate basis, expenditures for inservice training, and categorical funds. School districts are required to report to the DOE on a school-by-school and district-aggregate basis expenditures for:

- Funds for the operation of schools under the Florida Education Finance Program (FEFP).
- Total operational costs for administrative expenditures.
- Expenditures for classroom instruction.¹²⁴

The DOE must categorize all public schools into appropriate groups based primarily on average full-time equivalent (FTE) student enrollment as reported and to calculate for all schools, districts and the entire state the average percentage of classroom expenditures for various reporting categories of expenditures. The DOE is required to develop a web-based fiscal transparency tool that displays and identifies the financial efficiency of each public school and district. The Commissioner of Education is required to report to the Legislature prior to the open of the regular session each year a district-by-district report of expenditures.¹²⁵

Each district must expend a specified percentage of funds on programs that generated the funds. For example, a district must expend 90 percent of funds for kindergarten through grade 3, while districts must expend 95 percent of funds on juvenile justice programs.¹²⁶

School District Fiscal Transparency

District school boards are required to post on their websites a plain language version of each proposed, tentative, and official budget which describes each budget item in terms that are easily understandable to the public. The website must include a link to the web-based fiscal transparency tool developed by the DOE to enable taxpayers to evaluate the financial efficiency of the school district and compare the financial efficiency of the school district with other similarly situated school districts. The plain language version must also include graphical representations of:

- Summary of financial efficiency data.
- Fiscal trend information for the previous three years on:

¹²³ Section 1010.20(1), F.S.

¹²⁴ Section 1010.20(2), F.S.

¹²⁵ *Id.*

¹²⁶ Section 1010.20(3), F.S.

- The ratio of FTE students to FTE instructional personnel.
- The ratio of FTE students to FTE administrative personnel.
- The total operating expenditures per FTE student.
- The total instructional expenditures per FTE student.
- The general administrative expenditures as a percentage of total budget.
- The rate of change in the general fund's ending fund balance not classified as restricted.¹²⁷

The district school board website should contain links to:

- Help explain or provide background information on various budget items that are required by state or federal law.
- Allow users to navigate to related sites to view supporting details.
- Enable taxpayers, parents, and education advocates to send e-mails asking questions about the budget and enable others to view the questions and responses.¹²⁸

Charter schools are exempt from these requirements.¹²⁹

Short-Term Loans for Education Capital Outlay

District school boards can create short-term obligations based on anticipated revenues without pledging district credit or requiring future tax levies. These obligations are limited to one year but may be extended annually with lender approval for up to a total of five years. These short-term obligations may be used only for the purchase of school buses, land, and equipment for educational purposes; the erection of, alteration to, or addition to educational facilities; and the adjustment of insurance on educational property on a 5-year plan, as provided by rules of the SBE. District school boards may only borrow money through this process if:

- The proposed obligation does not exceed one-fourth of the revenue received during the preceding year for the district school fund for operating expenses.
- The school board adopts and includes in its minutes a resolution giving the nature of the obligations to be incurred, stating the plan of payment, and providing that such funds will be budgeted during the period of the loan from the current revenue to retire the obligations maturing during the year.
- The school board issues interest-bearing notes for the obligations that do not exceed the maximum rate for government bonds.¹³⁰

Emergency Make-up Days

The Florida Legislature established the FEFP to equalize funding for educational programs and services for all students in the K-12 public school system, regardless of geographic or local economic factors. The FEFP is the primary mechanism for funding the operating costs of Florida school districts.¹³¹

¹²⁷ Section 1011.035(2), F.S.

¹²⁸ Section 1011.035(4), F.S.

¹²⁹ Section 1002.33(16), F.S.

¹³⁰ Section 1011.14, F.S.

¹³¹ Section 1011.62, F.S.; Florida Department of Education, *2024-25 Funding for Florida School Districts*, (2024), available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>, at 4 (last visited Mar. 5, 2025).

Charter schools also receive funding through the FEFP. Students enrolled in a charter school, regardless of the sponsorship, are funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in a school district.¹³²

To receive state funding through the FEFP, district school boards are required to meet minimum requirements, including operating all schools for a term of 180 actual teaching days or the equivalent on an hourly basis each school year. The SBE may alter this requirement during a national, state, or local emergency as it may apply to an individual school or schools in any district or districts if, in the opinion of the SBE, it is not feasible to make up lost days or hours. The apportionment from the FEFP may, at the discretion of the commissioner, and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools.¹³³

Equity in School-Level Funding

Title I of the Elementary and Secondary Education Act of 1965 (ESEA),¹³⁴ as amended by the Every Student Succeeds Act of 2015,¹³⁵ is a federal funding program to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.¹³⁶ For the 2022-2023 fiscal year, Florida received approximately \$1.06 billion for Title I programs.¹³⁷

Part A of Title I focuses on improving basic programs operated by local educational agencies, including district school boards and eligible charter schools within the school district.¹³⁸

District school boards must allocate Title I-A funds first to serve schools in areas with poverty rates of at least 75 percent, or 50 percent for high schools.¹³⁹ If funds remain, the school board may serve schools in rank order according to the percentage of children from low-income families in the area, but a school board may only serve schools in areas with a poverty rate of less than 35 percent if the per student allocation of state and local funds is 125 percent greater than the per student amount received under Title I-A.¹⁴⁰

¹³² Section 1002.33(17), F.S.

¹³³ Section 1011.60(2), F.S.

¹³⁴ Pub. L. No. 89-10, 79 Stat. 27 (Apr. 11, 1965).

¹³⁵ Pub. L. 114-95, 129 Stat 1802 (Dec. 10, 2015).

¹³⁶ 20 U.S.C. s. 6301.

¹³⁷ Florida Department of Education, *Finance Data Base: Fiscal Year 2023-2024*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/StateTotalBUD2324.pdf>, at 8 (last visited Mar. 5, 2025).

¹³⁸ 20 U.S.C. s. 6311, et. seq. Local educational agencies are public boards of education and include district school boards. 34 C.F.R. s. 303.23. *See also* s. 1011.69(2), F.S., specifying that an eligible school includes a charter school that is eligible to receive Title I funds.

¹³⁹ 20 U.S.C. s. 6313(a)(3).

¹⁴⁰ 34 C.F.R. s. 200.78(b).

Florida law limits the threshold for identifying eligible schools to the threshold established by a district school board for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually, which was 53.8 percent¹⁴¹ in 2024.¹⁴²

Prior to the allocation of Title I funds to eligible schools, Florida law authorizes a district school board to withhold funds only as follows:

- One percent for parent involvement, in addition to the one percent the district must reserve under federal law for allocations to eligible schools for parent involvement;
- A necessary and reasonable amount for administration which includes the district's indirect cost rate, not to exceed a total of ten percent;
- A reasonable and necessary amount to provide:
 - Homeless programs;
 - Delinquent and neglected programs;
 - Prekindergarten programs and activities;
 - Private school equitable services; and
 - Transportation for foster care children to their school of origin or choice programs; and
- A necessary and reasonable amount, not to exceed one percent, for eligible schools to provide educational services in accordance with the approved Title I plan.¹⁴³

Title I also authorizes district school boards to provide up to five percent of the Title I-A allocation to provide financial incentives and rewards to teachers who serve in eligible schools that are identified for comprehensive support and improvement activities or targeted support and improvement activities for the purpose of attracting and retaining qualified and effective teachers.¹⁴⁴ The DOE requires all recruitment, retention, and reward incentives under the ESEA, including Title I-A and Title II,¹⁴⁵ to be based on the state value-added model or an alternative state-approved student growth model for personnel evaluations.¹⁴⁶

Under the ESEA, the state education agency must liquidate all obligations incurred under the Federal award not later than 120 calendar days after the end date of the period of availability. Under section 412(b) of the General Education Provisions Act,¹⁴⁷ grants issued for a fiscal year may be made available for obligation on the basis of an academic or school basis.¹⁴⁸ As a result

¹⁴¹ FLHealthCharts, *Elementary School Students Eligible for Free/Reduced Lunch*, <https://www.flhealthcharts.gov/ChartsDashboards/rdPage.aspx?rdReport=NonVitalIndNoGrp.Dataviewer&cid=497> (last visited Mar. 5, 2025).

¹⁴² Section 1011.69(4), F.S.

¹⁴³ *Id.*

¹⁴⁴ 20 U.S.C. s. 6313(c)(4).

¹⁴⁵ Florida's Title II allocation was approximately \$119.8 million for the 2023-2024 fiscal year. Florida Department of Education, *Finance Data Base: Fiscal Year 2023-2024*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/StateTotalBUD2324.pdf>, at 8 (last visited Mar. 5, 2025).

¹⁴⁶ Florida Department of Education, *K12 ESEA Federal Programs, 2023-24 Elementary and Secondary Education Act (ESEA) Federal Programs Application Companion Guide*, available at <https://www.floridacims.org/downloads>, at 61.

¹⁴⁷ Pub. L. No. 90-247.

¹⁴⁸ 20 U.S.C. s. 1225b.

of these requirements, many Federal programs – including the Title I, Title II,¹⁴⁹ and Title III¹⁵⁰ programs – have a total period of availability of 27 months (from July 1st of the award year to September 30th of the carryover year) and a subsequent liquidation period of 120 days (October 1st through approximately January 28).¹⁵¹ In addition, a state educational agency is required to award each subgrant for school improvement for a period of not more than four years, which may include a planning year.¹⁵²

School Board Discretionary Millage Levy

Each district school board is authorized to levy a 1.5 mill discretionary ad valorem tax against the taxable value for public school purposes to fund specific needs as identified in law, including, for example:

- New construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities,¹⁵³ athletic facilities, or ancillary facilities.¹⁵⁴
- Purchase, lease-purchase, and lease of school buses.
- Payments for educational facilities and sites due under a lease-purchase agreement.
- Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites, or of renting or leasing buildings or space within existing buildings.¹⁵⁵

Effect of Proposed Changes

Cost Accounting and Reporting for School Districts

The bill modifies s. 1010.20, F.S., by requiring each charter school to receive and respond to monitoring questions from the DOE. The change removes the school district as an intermediary between the DOE and the individual charter school.

School District Fiscal Transparency

The bill amends s. 1011.035, F.S., by removing the requirement that the plain language version of the school board budget posted on its website include graphical representations of the budget.

¹⁴⁹ Title II of the ESEA provides grants to state educational agencies and subgrants to local educational agencies to increase student achievement consistent with the challenging State academic standards; improve the quality and effectiveness of teachers, principals, and other school leaders; increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and provide low-income and minority students greater access to effective teachers, principals, and other school leaders. 20 U.S.C. s. 6601.

¹⁵⁰ Title III of the ESEA is the English Language Acquisition, Language Enhancement, and Academic Achievement Act. 20 U.S.C. s. 6811.

¹⁵¹ US Department of Education, *Florida Consolidated Performance Review Report FY 2023*, available at <https://oese.ed.gov/files/2023/04/FDOE-2023-Performance-Report.pdf>, at 11 (last visited Mar. 5, 2025).

¹⁵² 20 U.S.C. s. 6303(c).

¹⁵³ “Auxiliary facility” means the spaces located at educational plants which are not designed for student occupant stations. Section 1013.01(1), F.S.

¹⁵⁴ “Ancillary plant” is comprised of the building, site, and site improvements necessary to provide such facilities as vehicle maintenance, warehouses, maintenance, or administrative buildings necessary to provide support services to an educational program. Section 1013.01(2), F.S.

¹⁵⁵ Section 1011.71(2), F.S.

Short-Term Loans for Education Capital Outlay

The bill modifies s. 1011.14, F.S., to expand the scope of capital outlay that district school boards are permitted to fund through the issuance of short-term debt instruments.

This bill authorizes district school boards to incur obligations not only for the construction and renovation of educational facilities but also for the development and enhancement of support and supplemental structures associated with the educational process, which include the entire educational plant, ancillary plants, and auxiliary facilities.

By broadening the permissible use of anticipated revenue for these additional categories of capital projects, the bill allows for a more comprehensive development of the educational environment, acknowledging the role of various facilities in delivering a full spectrum of educational services. The district school boards would remain bound by the existing fiscal constraints—namely, the limitation of indebtedness to no more than one-fourth of the district ad valorem tax revenue for operations for the preceding year and the requirement for a detailed resolution outlining the nature and plan of repayment for the obligations.

Emergency Make-up Days

The bill modifies s. 1011.60, F.S., to remove the required threshold of infeasibility that a district school board must demonstrate to be released from making up days lost because of a bona fide emergency. This may provide more flexibility to district school boards in determining whether the additional days are necessary for students to learn the required academic standards.

Equity in School-Level Funding

The bill modifies s. 1011.69, F.S., to remove the provision that prohibits a school district from identifying any other eligible schools that exceed the poverty threshold established by a school district for the 2016-2017 school year, or the statewide percentage of economically disadvantaged students determined annually. This may afford discretion to the district school board to focus services on the schools with the highest needs.

The bill also removes the cap of one percent of Title I funds that a district may withhold to provide district educational services to Title I schools, including charter schools. This may provide flexibility for a district school board to leverage district resources to provide programs across all eligible schools, including eligible charter schools.

The bill also specifies that the education services for which a school district may withhold a portion of Title I funds prior to allocation include the provision of science, technology, engineering, and mathematics (STEM) curricula, instructional materials, and related learning technologies that support academic achievement in Title I schools. Such technologies may include drones, coding, animation, artificial intelligence, cybersecurity, data science, the engineering design process, mobile development, and robotics. Such withholding must comply with allocation levels required in federal law.

The bill authorizes district school boards to utilize up to five percent of its Title I allocation to provide financial incentives and rewards to teachers who serve students in Title I schools, including charter schools, identified for comprehensive support and improvement activities or

targeted support and improvement activities, for the purpose of attracting and retaining qualified and effective teachers, including teachers of any subject or grade level for whom a state-approved measurement of student performance is unavailable.

The bill clarifies that the DOE must make funds from Title I, Title II, and Title III programs available to local education agencies for the full period of availability provided in federal law. This may provide stability for district school boards in the implementation of Title I services.

School Board Discretionary Millage Levy

The bill amends s. 1011.71, F.S., by expanding the allowable uses of proceeds from the district discretionary 1.5 mill levy to include facilities beyond traditional educational facilities, such as ancillary and auxiliary facilities. For example, transportation hubs, cafeterias, or administrative facilities.

The bill authorizes the use of these funds for vehicles other than school buses, as long as they are regularly used to transport prekindergarten disability program and K-12 public school students.

This may provide school districts with greater flexibility in using revenue from the discretionary 1.5 mill capital levy, allowing for more efficient student transportation options, investment in essential support facilities, and improved resource allocation to meet local needs.

School Choice

Present Situation

Controlled Open Enrollment

Controlled open enrollment is a public education delivery system that allows school districts to make student school assignments using parents' indicated preferential educational choice as a significant factor. Each school district or charter school is required to allow a parent from any school district in the state whose child is not subject to a current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district. School districts and charter schools are required to make school capacity determinations for their schools by grade level every 12 weeks. The school capacity determinations must be made based on specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs required under the school district educational facilities plan.¹⁵⁶

Family Empowerment Scholarship

The Family Empowerment Scholarship (FES) program provides children of families in Florida with educational options to achieve success in their education, including children of families with limited financial resources, children of law enforcement and military families, and children with disabilities.¹⁵⁷ The FES program includes two types of scholarships to assist eligible students to pay for the tuition and fees associated with attendance at a private school or transportation to another public school (FES-EO), and to provide access to additional education

¹⁵⁶ Section 1002.31, F.S.

¹⁵⁷ Section 1002.394, F.S.; *see also* Rule 6A-6.0952, F.A.C.

options for a student with a disability by covering the cost of a variety of approved items, including: contracted services, curriculum, instructional materials, tutoring, specified education programs, and specialized services (FES-UA).¹⁵⁸

A student is eligible for an FES-UA scholarship if the student:

- Is a resident of Florida.
- Is three or four years of age on or before September 1 of the year in which the student applies for program participation or is eligible to enroll in kindergarten through grade 12 in a Florida public school.
- Has a disability as provided for in law.¹⁵⁹
- Is the subject of an Individualized Education Plane (IEP) written in accordance with rules of the State Board of Education (SBE) or with the applicable rules of another state or has received a diagnosis of a disability from a licensed physician, a licensed psychologist, or a physician with a specified out-of-state license.¹⁶⁰

A parent of a student with a disability who is applying for the FES-UA scholarship and who does not have an IEP or is seeking a reevaluation of an existing IEP may request an IEP meeting and evaluation from the school district. Upon receiving the request, the district must notify the parent that it is required to complete the IEP and matrix of services within 30 days.¹⁶¹

The school district must conduct a meeting, develop an IEP, and complete the matrix of services within this 30-day period. It is required to accept the diagnosis and consider the service plan provided by the licensed professional making the diagnosis. The matrix must assign the student to a level of service based on the criteria in place before the 2000-2001 school year.¹⁶²

For nonpublic school students without an IEP, the district may use evaluation reports and care plans from licensed professionals to complete the matrix of services.¹⁶³

In the 2023-2024 school year, over 92,000 students were funded through the FES-UA Scholarship program.¹⁶⁴

Federal Requirements for an IEP

The parent of a child or a school district may initiate a request for an initial evaluation to determine if the child is a child with a disability. Once the request is made the initial evaluation must be conducted within 60 days of receiving parental consent for the evaluation, unless a state establishes a timeframe within which the evaluation must be conducted, within the 60 day timeframe.¹⁶⁵ In addition, the initial evaluation must consist of procedures to determine if the

¹⁵⁸ Section 1002.394(3), F.S.

¹⁵⁹ Section 1002.394(1), F.S.

¹⁶⁰ Section 1002.394(3), F.S.

¹⁶¹ Section 1002.394(7), F.S.

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ Step up for Students, 2025-2026 SFO Renewal Application, available at <https://www.fldoe.org/core/fileparse.php/20808/urlt/9-2.pdf>, A.A.A., 2025-2026 SFO Renewal Application, available at <https://www.fldoe.org/core/fileparse.php/20808/urlt/8-2.pdf>. (last visited Mar. 5, 2025)

¹⁶⁵ 34 C.F.R. § 300.301

child has a disability and to determine the educational needs of the child. Once the initial evaluation is complete and if the child is determined to have a disability, a school district must meet within 30 days to develop an IEP.¹⁶⁶

Effect of Proposed Changes

Controlled Open Enrollment

The bill modifies s. 1002.32, F.S., to authorize district school boards to determine how to make capacity determinations for controlled open enrollment and reduce the required capacity determinations from every 12 weeks to twice annually.

Family Empowerment Scholarship

The bill amends s. 1002.394, F.S., to better align to 60 days the timeline for developing an Individualized Education Program (IEP) for students receiving a Family Empowerment Scholarship for Students with Unique Abilities (FES-UA) between federal requirements and the timeline used by school districts for public school students.

Early Learning

Present Situation

Since the inception of the Voluntary Prekindergarten (VPK) program, public schools have been instrumental in delivering the program. Public schools deliver both the 540 hour school year VPK program¹⁶⁷ and the 300 hour summer VPK program.¹⁶⁸ Historically, public schools comprise just over 20 percent of the overall VPK programs during the entire program year.¹⁶⁹

Public schools are required to contract through the early learning coalitions (ELCs) and are subject to the same requirements as non-public programs in terms of implementing instructional standards, personnel requirements, and program accountability. While both public schools and private providers offer the school year prekindergarten program, public school districts are required to offer the summer VPK program, consisting of 300 hours of instruction, to any parent who enrolls his or her child in the program.¹⁷⁰

In general, VPK programs in public schools are subject to the same oversight as private VPK programs, including requirements for use of the state contract, instructor to child ratios, instructor training, attendance and reporting, accountability, and methods regarding reimbursement for the VPK program. ELCs are required to monitor the compliance of public school VPK programs in their county or multi-county service region for both school year¹⁷¹ and summer¹⁷² VPK programs.

¹⁶⁶ 34 C.F.R. § 300.323

¹⁶⁷ Section 1002.63(1), F.S.

¹⁶⁸ Section 1002.61(1), F.S.

¹⁶⁹ Florida Department of Education, *Division of Early Learning Annual Report 2023-2024*, available at: <https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf> (last visited Mar. 5, 2025).

¹⁷⁰ Section 1002.53(6), F.S.

¹⁷¹ Section 1002.63(9), F.S.

¹⁷² Section 1002.61(10) F.S.

Effect of Proposed Changes

The bill modifies ss. 1002.61 and 1002.63, F.S., to remove the requirement, for both school year and summer VPK programs, that ELCs verify statutory compliance by school district-operated VPK programs. This aligns oversight of the school district operated VPK programs with other district-operated educational programs.

The bill removes the requirement in s. 1002.71, F.S., that each district school board's attendance policy must require parents to sign monthly attendance forms and retain those forms for two years. The school district will be required to certify attendance on the single point of entry system that is used for payment of VPK program attendance. The revision offers flexibility to school districts to utilize existing attendance tracking methods without duplication due to required forms.

State Board of Education/Department of Education Oversight***Present Situation***

The State Board of Education (SBE) is the chief implementing and coordinating body of public education in Florida except for the State University System, and it is required to focus on high-level policy decisions.¹⁷³ The SBE has authority to adopt rules pursuant to the Administrative Procedures Act (APA)¹⁷⁴ to implement its statutory duties to improve the state system of Early Learning-20 public education except for the State University System. The SBE is authorized to delegate its general powers to the Commissioner of Education (commissioner) or the directors of the divisions of the Department of Education (DOE).¹⁷⁵

The APA provides uniform procedures for the exercise of specified government authority.¹⁷⁶ An agency is required to comply with the APA rulemaking procedures when developing rules.¹⁷⁷ A "rule" under the APA is defined as each agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the procedure or practice requirements of an agency and includes any form which imposes any requirement or solicits any information not specifically required by statute or by an existing rule. The term also includes the amendment or repeal of a rule.¹⁷⁸

The SBE is required to adopt cohesive rules pursuant to the APA, within statutory authority.¹⁷⁹ An agency may adopt only rules that implement or interpret the specific powers and duties granted by the enabling statute. No agency is authorized to adopt a rule only because it is reasonably related to the purpose of the enabling legislation. An invalid exercise of delegated legislative authority means action that goes beyond the powers, functions, and duties delegated by the Legislature.¹⁸⁰

¹⁷³ Section 1001.02(1), F.S. The Florida Constitution provides that the state board of education is a body corporate and have such supervision of the system of free public education as is provided by law. FL. CONST. art. 9, s. 2.

¹⁷⁴ Chapter 120, F.S.

¹⁷⁵ Section 1001.02(1), F.S.

¹⁷⁶ Section 120.515, F.S.

¹⁷⁷ Section 120.54(1), F.S.

¹⁷⁸ Section 120.52(16), F.S.

¹⁷⁹ Section 1001.02(2), F.S.

¹⁸⁰ Section 120.52(8), F.S.

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.¹⁸¹ The commissioner is appointed by the SBE and serves as the executive director of the DOE.¹⁸² The DOE assists in providing professional leadership and guidance and in carrying out the policies, procedures, and duties authorized by law or by the SBE.¹⁸³

The APA also provides a process for any substantially affected person to seek a declaratory statement regarding an agency's opinion as to the applicability of a statutory provision, or of any rule or order of the agency, as it applies to the petitioner's particular set of circumstances. The petition seeking a declaratory statement must state with particularity the petitioner's set of circumstances and specify the statutory provision, rule, or order that the petitioner believes may apply to the set of circumstances.¹⁸⁴

The agency is required to give notice of the filing of each petition in the next available issue of the Florida Administrative Register and transmit copies of each petition to the Administrative Procedures Committee. The agency must issue a declaratory statement or deny the petition within 90 days after the filing of the petition and notice the statement in the next available issue of the Florida Administrative Register. Agency disposition of petitions are final agency action.¹⁸⁵

Effect of Proposed Changes

The bill amends s. 1001.02, F.S., to clarify that the SBE is authorized to adopt rules within statutory authority as specifically provided by law.

The bill expands s. 1001.23, F.S., to add to the specific powers and duties of the DOE. The additional requirements may provide clarity to district school boards in the implementation of state law. The bill requires the DOE to annually:

- By August 1, inform district school superintendents that they may receive a declaratory statement pursuant to the APA regarding the DOE's opinion as to the applicability to a school district of a statutory or rule provision as it applies to the district's particular set of circumstances.
- Maintain and make available to school districts a list of all requirements in statute and rule relating to required actions by district school boards or superintendents. The list must include but is not limited to, required parent notifications, information that must be posted to the district website, and reporting, filing, and certification requirements.

The bill is effective July 1, 2025, except as otherwise specified.

¹⁸¹ Section 1001.20(1), F.S.

¹⁸² Section 20.15(2), F.S.

¹⁸³ Section 1001.20(2), F.S.

¹⁸⁴ Section 120.565, F.S.

¹⁸⁵ Section 120.565(3), F.S. The term "Administrative Procedures Committee" means a committee designated by joint rule of the Legislature or by agreement between the President of the Senate and the Speaker of the House of Representatives. Section 1.01(16), F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not have a fiscal impact on state revenues or expenditures. However, the bill reduces regulations and increases flexibility in policymaking which could result in a cost savings for the school districts.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 120.81, 1001.02, 1001.23, 1001.42, 1002.20, 1002.31, 1002.33, 1002.394, 1002.451, 1002.61, 1002.63, 1002.71,

1003.03, 1003.26, 1003.4282, 1003.433, 1006.1494, 1006.40, 1008.212, 1008.22, 1008.25, 1008.33, 1010.20, 1011.035, 1011.14, 1011.60, 1011.62, 1011.6202, 1011.69, 1011.71, 1012.22, 1012.335, 1012.34, 1012.39, 1012.555, 1012.56, 1012.585, 1013.19, 1013.35, 1013.41, 1013.45, 1013.62, 1013.64, 163.3180, 1002.68, 1003.631, 1004.04, 1004.85, 1012.586, and 1012.98.

This bill repeals section 1013.451 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Fiscal Policy on March 27, 2025:

The committee substitute:

- Specifies that the education services for which a school district may withhold a portion of Title I funds prior to allocation include the provision of science, technology, engineering, and mathematics (STEM) curricula, instructional materials, and related learning technologies that support academic achievement in Title I schools. Such technologies may include drones, coding, animation, artificial intelligence, cybersecurity, data science, the engineering design process, mobile development, and robotics.
- Broadens the advanced degrees that may be used in setting a school district salary schedule to include an advanced degree in a related field of study, rather than strictly a master's or doctorate in the area of certification or with 18 graduate semester hours in the area of certification.

- B. **Amendments:**

None.



243396

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Simon) recommended the following:

Senate Amendment

Delete line 1263

and insert:

Title I plan. Such educational services may include the provision of STEM curricula, instructional materials, and related learning technologies that support academic achievement in science, technology, engineering, and mathematics in Title I schools, including, but not limited to, technologies related to



243396

10 drones, coding, animation, artificial intelligence,
11 cybersecurity, data science, the engineering design process,
12 mobile development, and robotics. Funds may be reserved under
13 this subparagraph only to the extent that all required
14 reservations under federal law have been met and that such
15 reservation does not reduce school-level allocations below the
16 levels required under federal law.



672844

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Simon) recommended the following:

Senate Amendment

Delete lines 1358 - 1362
and insert:
held in the individual's area of certification, a field related to their teaching assignment, or a related field of study. For the purposes of the salary schedule, an advanced degree may include a master's degree or higher in the area of certification or teaching assignment, or an advanced degree in another field with a minimum of 18 graduate semester hours related to the area



672844

11 of certification or teaching assignment.

By Senator Simon

3-01169C-25

2025166__

1 A bill to be entitled
 2 An act relating to administrative efficiency in public
 3 schools; amending s. 120.81, F.S.; exempting district
 4 school boards from requirements for adopting certain
 5 rules; amending s. 1001.02, F.S.; revising a duty of
 6 the State Board of Education to adopt certain rules;
 7 amending s. 1001.23, F.S.; requiring the Department of
 8 Education to annually inform district school
 9 superintendents by a specified date that they are
 10 authorized to petition to receive a specified
 11 declaratory statement; requiring the department to
 12 annually maintain and provide school districts with a
 13 list of statutory and rule requirements; providing
 14 requirements for such list; amending s. 1001.42, F.S.;
 15 deleting a requirement for a district school board to
 16 employ an internal auditor in certain circumstances;
 17 amending s. 1002.20, F.S.; deleting a requirement that
 18 the school financial report be included in the student
 19 handbook; requiring the department to produce
 20 specified reports relating to school accountability
 21 and make such reports available on the department's
 22 website; requiring each school district to provide a
 23 link to such reports; amending s. 1002.31, F.S.;
 24 revising how often a school district or charter school
 25 must update its school capacity determination;
 26 deleting a requirement relating to school capacity
 27 determination by district school boards; conforming a
 28 cross-reference; amending s. 1002.33, F.S.; conforming
 29 a provision relating to a 5-year facilities plan;

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30 amending s. 1002.394, F.S.; revising the timeframe for
 31 a school district to develop an IEP and matrix of
 32 services after receipt of a parent's request; amending
 33 s. 1002.451, F.S.; requiring innovation schools of
 34 technology to comply with specified provisions
 35 relating to instructional multiyear contracts, in
 36 addition to annual contracts, for instructional
 37 personnel in addition to annual contracts; amending s.
 38 1002.61, F.S.; removing public schools from a
 39 requirement for early learning coalitions to verify
 40 compliance with law; amending s. 1002.63, F.S.;
 41 deleting a requirement for an early learning coalition
 42 to verify that certain public schools comply with
 43 specified provisions; amending s. 1002.71, F.S.;
 44 revising requirements relating to district school
 45 board attendance policies for Voluntary
 46 Prekindergarten Education Programs; requiring a school
 47 district to certify its attendance records for a
 48 Voluntary Prekindergarten Education Program; amending
 49 s. 1003.03, F.S.; deleting a requirement for district
 50 school boards to provide an accountability plan to the
 51 Commissioner of Education under certain conditions;
 52 amending s. 1003.26, F.S.; authorizing a district
 53 school board to determine a timeframe for purposes of
 54 addressing a student's absences; amending s.
 55 1003.4282, F.S.; revising requirements for assessments
 56 needed for a student to earn a high school diploma;
 57 deleting a requirement for a student who transfers
 58 into a public high school to take specified

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59 assessments; revising the courses for which the
 60 transferring course final grade must be honored for a
 61 transfer student under certain conditions; amending s.
 62 1003.433, F.S.; deleting requirements that must be met
 63 by students who transfer to a public school for 11th
 64 or 12th grade; amending s. 1006.1494, F.S.; providing
 65 that provisions relating to student online personal
 66 information protection do not impose requirements for
 67 a K-12 school, school district, or school board;
 68 amending s. 1006.40, F.S.; revising the timeframe
 69 within which certain instructional materials must be
 70 purchased; amending s. 1008.212, F.S.; providing that
 71 certain assessments are not subject to specified
 72 requirements; revising a deadline for IEP teams to
 73 submit requests for extraordinary exemptions; amending
 74 s. 1008.22, F.S.; requiring the Commissioner of
 75 Education to notify school districts of the assessment
 76 schedule for a specified time interval; deleting
 77 requirements relating to a uniform calendar that must
 78 be published by the commissioner each year; revising
 79 an annual timeframe for each school district to
 80 establish schedules for the administration of
 81 statewide, standardized assessments; requiring each
 82 school district to publish certain information
 83 regarding such schedules on its website; conforming
 84 provisions to changes made by the act; amending s.
 85 1008.25, F.S.; specifying the score needed on any
 86 administration of the coordinated screening and
 87 progress monitoring system for a student to be

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88 promoted to grade 4; conforming cross-references;
 89 amending s. 1008.33, F.S.; prohibiting a school from
 90 being required to use a certain parameter as the sole
 91 determining factor to recruit instructional personnel;
 92 providing requirements for a rule adopted by the State
 93 Board of Education; amending s. 1010.20, F.S.;
 94 requiring charter schools to respond to monitoring
 95 questions from the department; amending s. 1011.035,
 96 F.S.; deleting a requirement that each district school
 97 board budget posted on the school board's website
 98 include a graphical representation of specified
 99 information; revising website requirements; amending
 100 s. 1011.14, F.S.; revising the types of facilities for
 101 which district school boards may incur certain
 102 financial obligations; amending s. 1011.60, F.S.;
 103 revising circumstances under which the State Board of
 104 Education may alter the length of school terms for
 105 certain school districts; amending s. 1011.62, F.S.;
 106 deleting a requirement that certain full-time
 107 equivalent bonuses under the Florida Education Finance
 108 Program be paid only to teachers who are employed by
 109 the district when the bonus is calculated; amending s.
 110 1011.6202, F.S.; requiring schools participating in
 111 the Principal Autonomy Program Initiative to comply
 112 with specified provisions relating to instructional
 113 multiyear contracts, in addition to annual contracts,
 114 for instructional personnel; amending s. 1011.69,
 115 F.S.; deleting a requirement relating to Title I fund
 116 allocations to schools; providing a new category of

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117 funding school districts are authorized to withhold;
 118 revising a category of funding a school district is
 119 authorized to withhold; requiring the department to
 120 make certain funds available to local education
 121 agencies; amending s. 1011.71, F.S.; revising
 122 specified vehicles that may be purchased or leased
 123 using specified revenue; revising the types of
 124 facilities payments that may be made from such
 125 revenue; amending s. 1012.22, F.S.; providing
 126 requirements for advanced degrees which may be used to
 127 set salary schedules for instructional personnel and
 128 school administrators hired after a specified date;
 129 specifying district school board activities that may
 130 not be precluded by collective bargaining; amending s.
 131 1012.335, F.S.; defining the term "instructional
 132 multiyear contract"; providing requirements for the
 133 award of an instructional multiyear contract;
 134 requiring that an employee awarded an instructional
 135 multiyear contract be returned to an annual contract
 136 under certain conditions; making conforming and
 137 technical changes; amending s. 1012.34, F.S.;
 138 requiring that procedures and requirements established
 139 by the district school superintendent for performance
 140 evaluations be approved by the district school board;
 141 requiring the district school superintendent to submit
 142 evaluation systems to the department under certain
 143 circumstances; deleting a requirement for the
 144 department to approve and monitor each school
 145 district's evaluation systems; revising the portion of

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146 a performance evaluation that is based on student
 147 performance; deleting certain performance evaluation
 148 requirements; providing that student performance may
 149 not be the sole determinant for incentive pay for
 150 instructional personnel or school administrators;
 151 amending s. 1012.39, F.S.; revising an occupational
 152 experience qualification requirement for nondegreed
 153 teachers of career programs; deleting a training
 154 requirement for full-time nondegreed teachers of
 155 career programs; amending s. 1012.555, F.S.; revising
 156 eligibility requirements for individuals to
 157 participate in the Teacher Apprenticeship Program;
 158 amending employment requirements for paraprofessionals
 159 to serve as an apprentice teacher; amending s.
 160 1012.56, F.S.; specifying individuals who must
 161 demonstrate mastery of general knowledge for educator
 162 certification; authorizing school districts and
 163 consortia of school districts to issue temporary
 164 certificates under certain conditions; conforming a
 165 cross-reference; amending s. 1012.585, F.S.; revising
 166 the validity period for professional certificates;
 167 providing eligibility requirements for 5-year and 10-
 168 year professional certificates; revising requirements
 169 for the renewal of professional certificates; amending
 170 s. 1013.19, F.S.; requiring that proceeds from certain
 171 sales or leases of property be used for specified
 172 purposes by boards of trustees for Florida College
 173 System institutions or state universities; amending s.
 174 1013.35, F.S.; deleting definitions; revising

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175 requirements for the contents of a district school
 176 board's tentative district educational facilities
 177 plan; deleting provisions relating to district school
 178 boards coordinating with local governments to ensure
 179 consistency between school district and local
 180 government plans; authorizing, rather than requiring,
 181 local governments to review tentative district
 182 educational facilities plans; making conforming
 183 changes; amending s. 1013.41, F.S.; revising
 184 requirements for an educational facilities plan;
 185 revising the duties of the Office of Educational
 186 Facilities; amending s. 1013.45, F.S.; specifying that
 187 Florida College System institution and state
 188 university boards of trustees are required to use an
 189 architect for the development of certain plans;
 190 deleting district school board requirements for
 191 certain construction plans; repealing s. 1013.451,
 192 F.S., relating to life-cycle costs comparisons;
 193 amending s. 1013.62, F.S.; conforming a cross-
 194 reference; amending s. 1013.64, F.S.; revising
 195 determinations of allocations from the Public
 196 Education Capital Outlay and Debt Service Trust Fund;
 197 revising criteria for construction project funding
 198 from a specified account; revising district school
 199 board requirements relating to educational plant
 200 construction; amending ss. 163.3180, 1002.68,
 201 1003.631, 1004.04, 1004.85, 1012.586, and 1012.98,
 202 F.S.; conforming cross-references; providing effective
 203 dates.

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204
 205 Be It Enacted by the Legislature of the State of Florida:
 206
 207 Section 1. Paragraph (a) of subsection (1) of section
 208 120.81, Florida Statutes, is amended to read:
 209 120.81 Exceptions and special requirements; general areas.—
 210 (1) EDUCATIONAL UNITS.—
 211 (a) District school boards are not subject to the
 212 requirements for rules in this chapter when making and adopting
 213 rules with public input at a public meeting. Notwithstanding s.
 214 120.536(1) and the flush left provisions of s. 120.52(8),
 215 district school boards may adopt rules to implement their
 216 general powers under s. 1001.41.
 217 Section 2. Paragraph (n) of subsection (2) of section
 218 1001.02, Florida Statutes, is amended to read:
 219 1001.02 General powers of State Board of Education.—
 220 (2) The State Board of Education has the following duties:
 221 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
 222 120.54, within statutory authority as specifically provided by
 223 law.
 224 Section 3. Subsections (5) and (6) are added to section
 225 1001.23, Florida Statutes, to read:
 226 1001.23 Specific powers and duties of the Department of
 227 Education.—In addition to all other duties assigned to it by law
 228 or by rule of the State Board of Education, the department
 229 shall:
 230 (5) Annually by August 1, inform district school
 231 superintendents that pursuant to s. 120.565, the superintendents
 232 may receive a declaratory statement, within 90 days after

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233 submitting a petition to receive such statement, regarding the
 234 department's opinion as to the applicability of a statutory or
 235 rule provision to a school district as it applies to the
 236 district's particular set of circumstances.

237 (6) Annually maintain and make available to school
 238 districts a list of all requirements in statute and rule
 239 relating to required actions by district school boards or
 240 superintendents. The list must include, but is not limited to,
 241 required parent notifications; information that must be posted
 242 to the district website; and reporting, filing, and
 243 certification requirements.

244 Section 4. Paragraph (1) of subsection (12) of section
 245 1001.42, Florida Statutes, is amended to read:

246 1001.42 Powers and duties of district school board.—The
 247 district school board, acting as a board, shall exercise all
 248 powers and perform all duties listed below:

249 (12) FINANCE.—Take steps to assure students adequate
 250 educational facilities through the financial procedure
 251 authorized in chapters 1010 and 1011 and as prescribed below:

252 ~~(1) Internal auditor. May or, in the case of a school~~
 253 ~~district receiving annual federal, state, and local funds in~~
 254 ~~excess of \$500 million, shall employ an internal auditor. The~~
 255 ~~scope of the internal auditor shall not be restricted and shall~~
 256 ~~include every functional and program area of the school system.~~

257 ~~1. The internal auditor shall perform ongoing financial~~
 258 ~~verification of the financial records of the school district, a~~
 259 ~~comprehensive risk assessment of all areas of the school system~~
 260 ~~every 5 years, and other audits and reviews as the district~~
 261 ~~school board directs for determining;~~

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262 ~~a. The adequacy of internal controls designed to prevent~~
 263 ~~and detect fraud, waste, and abuse as defined in s. 11.45(1).~~
 264 ~~b. Compliance with applicable laws, rules, contracts, grant~~
 265 ~~agreements, district school board-approved policies, and best~~
 266 ~~practices.~~
 267 ~~e. The efficiency of operations.~~
 268 ~~d. The reliability of financial records and reports.~~
 269 ~~e. The safeguarding of assets.~~
 270 ~~f. Financial solvency.~~
 271 ~~g. Projected revenues and expenditures.~~
 272 ~~h. The rate of change in the general fund balance.~~

273 ~~2. The internal auditor shall prepare audit reports of his~~
 274 ~~or her findings and report directly to the district school board~~
 275 ~~or its designee.~~

276 ~~3. Any person responsible for furnishing or producing any~~
 277 ~~book, record, paper, document, data, or sufficient information~~
 278 ~~necessary to conduct a proper audit or examination which the~~
 279 ~~internal auditor is by law authorized to perform is subject to~~
 280 ~~the provisions of s. 11.47(3) and (4).~~

281 Section 5. Subsection (16) of section 1002.20, Florida
 282 Statutes, is amended to read:

283 1002.20 K-12 student and parent rights.—Parents of public
 284 school students must receive accurate and timely information
 285 regarding their child's academic progress and must be informed
 286 of ways they can help their child to succeed in school. K-12
 287 students and their parents are afforded numerous statutory
 288 rights including, but not limited to, the following:

289 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
 290 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students

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291 have the right to an easy-to-read report card about the school's
 292 grade designation or, if applicable under s. 1008.341, the
 293 school's improvement rating, and the school's accountability
 294 report, including the school financial report as required under
 295 s. 1010.215. The school financial report must be provided to the
 296 parents and indicate the average amount of money expended per
 297 student in the school, ~~which must also be included in the~~
 298 ~~student handbook or a similar publication.~~ The department shall
 299 produce the reports required under this subsection and make the
 300 reports for each school available on the department's website in
 301 a prominent location. Each public school district must provide a
 302 link on its website to such reports for parent access.

303 Section 6. Paragraph (b) of subsection (2) and subsection
 304 (5) of section 1002.31, Florida Statutes, are amended to read:
 305 1002.31 Controlled open enrollment; public school parental
 306 choice.-

(2)

308 (b) Each school district and charter school capacity
 309 determinations for its schools, by grade level, must be updated
 310 at least twice annually every 12 weeks and be identified on the
 311 school district and charter school's websites. ~~In determining~~
 312 ~~the capacity of each district school, the district school board~~
 313 ~~shall incorporate the specifications, plans, elements, and~~
 314 ~~commitments contained in the school district educational~~
 315 ~~facilities plan and the long-term work programs required under~~
 316 ~~s. 1013.35.~~ Each charter school governing board shall determine
 317 capacity based upon its charter school contract. Each virtual
 318 charter school and each school district with a contract with an
 319 approved virtual instruction program provider shall determine

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320 capacity based upon the enrollment requirements established
 321 under s. 1002.45(1)(d)4.

322 (5) For a school or program that is a public school of
 323 choice under this section, the calculation for compliance with
 324 maximum class size ~~pursuant to s. 1003.03(4)~~ is the average
 325 number of students at the school level.

326 Section 7. Paragraph (g) of subsection (18) of section
 327 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.-

(18) FACILITIES.-

330 (g) Each school district shall annually provide to the
 331 Department of Education ~~as part of its 5 year work plan~~ the
 332 number of existing vacant classrooms in each school that the
 333 district does not intend to use or does not project will be
 334 needed for educational purposes for the following school year.
 335 The department may recommend that a district make such space
 336 available to an appropriate charter school.

337 Section 8. Paragraph (b) of subsection (7) of section
 338 1002.394, Florida Statutes, is amended to read:

1002.394 The Family Empowerment Scholarship Program.-

(7) SCHOOL DISTRICT OBLIGATIONS.-

341 (b)1. The parent of a student with a disability who does
 342 not have an IEP in accordance with subparagraph (3)(b)4. or who
 343 seeks a reevaluation of an existing IEP may request an IEP
 344 meeting and evaluation from the school district in order to
 345 obtain or revise a matrix of services. The school district shall
 346 notify a parent who has made a request for an IEP that the
 347 district is required to complete the IEP and matrix of services
 348 within 60 ~~30~~ days after receiving notice of the parent's

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349 request. The school district shall conduct a meeting and develop
 350 an IEP and a matrix of services within ~~60~~ 30 days after receipt
 351 of the parent's request in accordance with State Board of
 352 Education rules. The district must accept the diagnosis and
 353 consider the service plan of the licensed professional providing
 354 the diagnosis pursuant to subparagraph (3)(b)4. The school
 355 district must complete a matrix that assigns the student to one
 356 of the levels of service as they existed before the 2000-2001
 357 school year. For a nonpublic school student without an IEP, the
 358 school district is authorized to use evaluation reports and
 359 plans of care developed by the licensed professionals under
 360 subparagraph (4)(b)3. to complete the matrix of services.

361 2.a. The school district must provide the student's parent
 362 and the department with the student's matrix level within 10
 363 calendar days after its completion.

364 b. The department shall notify the parent and the
 365 organization of the amount of the funds awarded within 10 days
 366 after receiving the school district's notification of the
 367 student's matrix level.

368 c. A school district may change a matrix of services only
 369 if the change is a result of an IEP reevaluation or to correct a
 370 technical, typographical, or calculation error.

371 Section 9. Paragraph (a) of subsection (5) of section
 372 1002.451, Florida Statutes, is amended to read:

373 1002.451 District innovation school of technology program.—

374 (5) EXEMPTION FROM STATUTES.—

375 (a) An innovation school of technology is exempt from
 376 chapters 1000-1013. However, an innovation school of technology
 377 shall comply with the following provisions of those chapters:

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- 378 1. Laws pertaining to the following:
- 379 a. Schools of technology, including this section.
- 380 b. Student assessment program and school grading system.
- 381 c. Services to students who have disabilities.
- 382 d. Civil rights, including s. 1000.05, relating to
 383 discrimination.
- 384 e. Student health, safety, and welfare.
- 385 2. Laws governing the election and compensation of district
 386 school board members and election or appointment and
 387 compensation of district school superintendents.
- 388 3. Section 1003.03, governing maximum class size, except
 389 that the calculation for compliance pursuant to s. 1003.03 is
 390 the average at the school level.
- 391 4. Sections 1012.22(1)(c) and 1012.27(2), relating to
 392 compensation and salary schedules.
- 393 5. Section 1012.33(5), relating to workforce reductions,
 394 for annual contracts for instructional personnel. This
 395 subparagraph does not apply to at-will employees.
- 396 6. Section 1012.335, relating to contracts with
 397 instructional personnel hired on or after July 1, 2011, for
 398 annual or instructional multiyear contracts for instructional
 399 personnel. This subparagraph does not apply to at-will
 400 employees.
- 401 7. Section 1012.34, relating to requirements for
 402 performance evaluations of instructional personnel and school
 403 administrators.
- 404 Section 10. Paragraph (a) of subsection (10) of section
 405 1002.61, Florida Statutes, is amended to read:
 406 1002.61 Summer prekindergarten program delivered by public

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407 schools and private prekindergarten providers.-

408 (10) (a) Each early learning coalition shall verify that
 409 each private prekindergarten provider ~~and public school~~
 410 delivering the Voluntary Prekindergarten Education Program
 411 within the coalition's county or multicounty region complies
 412 with this part.

413 Section 11. Subsection (9) of section 1002.63, Florida
 414 Statutes, is amended to read:

415 1002.63 School-year prekindergarten program delivered by
 416 public schools.-

417 (9) (a) ~~Each early learning coalition shall verify that each~~
 418 ~~public school delivering the Voluntary Prekindergarten Education~~
 419 ~~Program within the coalition's service area complies with this~~
 420 ~~part.~~

421 ~~(b)~~ If a public school fails or refuses to comply with this
 422 part or engages in misconduct, the department must ~~shall~~ require
 423 that the school district ~~to~~ remove the school from eligibility
 424 to deliver the Voluntary Prekindergarten Education Program and
 425 receive state funds under this part for a period of at least 2
 426 years but no more than 5 years.

427 Section 12. Paragraph (b) of subsection (6) and subsection
 428 (7) of section 1002.71, Florida Statutes, are amended to read:

429 1002.71 Funding; financial and attendance reporting.-

430 (6)

431 (b)1. Each private prekindergarten provider's ~~and district~~
 432 ~~school board's~~ attendance policy must require the parent of each
 433 student in the Voluntary Prekindergarten Education Program to
 434 verify, each month, the student's attendance on the prior
 435 month's certified student attendance.

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436 2. The parent must submit the verification of the student's
 437 attendance to the private prekindergarten provider ~~or public~~
 438 ~~school~~ on forms prescribed by the department. The forms must
 439 include, in addition to the verification of the student's
 440 attendance, a certification, in substantially the following
 441 form, that the parent continues to choose the private
 442 prekindergarten provider or public school in accordance with s.
 443 1002.53 and directs that payments for the program be made to the
 444 provider or school:

445
 446 VERIFICATION OF STUDENT'S ATTENDANCE
 447 AND CERTIFICATION OF PARENTAL CHOICE
 448

449 I, ...(Name of Parent)..., swear (or affirm) that my child,
 450 ...(Name of Student)..., attended the Voluntary Prekindergarten
 451 Education Program on the days listed above and certify that I
 452 continue to choose ...(Name of Provider or School)... to deliver
 453 the program for my child and direct that program funds be paid
 454 to the provider or school for my child.

455 ...(Signature of Parent)...

456 ...(Date)...

457
 458 3. The private prekindergarten provider ~~or public school~~
 459 must keep each original signed form for at least 2 years. Each
 460 private prekindergarten provider must permit the early learning
 461 coalition, ~~and each public school must permit the school~~
 462 ~~district,~~ to inspect the original signed forms during normal
 463 business hours. The department shall adopt procedures for early
 464 learning coalitions ~~and school districts~~ to review the original

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465 signed forms against the certified student attendance. The
 466 review procedures must ~~shall~~ provide for the use of selective
 467 inspection techniques, including, but not limited to, random
 468 sampling. Each early learning coalition ~~and the school districts~~
 469 must comply with the review procedures.

470 (7) The department shall require that administrative
 471 expenditures be kept to the minimum necessary for efficient and
 472 effective administration of the Voluntary Prekindergarten
 473 Education Program. Administrative policies and procedures must
 474 ~~shall be revised~~, to the maximum extent practicable, be revised
 475 to incorporate the use of automation and electronic submission
 476 of forms, including those required for child eligibility and
 477 enrollment, provider and class registration, and monthly
 478 certification of attendance for payment. A school district may
 479 use its automated daily attendance reporting system for the
 480 purpose of maintaining and transmitting attendance records to
 481 the early learning coalition in a mutually agreed-upon format.
 482 Each school district shall certify the correctness of attendance
 483 data submitted to the single point of entry system described in
 484 paragraph (5) (a) as required by the department. In addition,
 485 actions must ~~shall~~ be taken to reduce paperwork, eliminate the
 486 duplication of reports, and eliminate other duplicative
 487 activities. Each early learning coalition may retain and expend
 488 no more than 5.0 percent of the funds paid by the coalition to
 489 private prekindergarten providers and public schools under
 490 paragraph (5) (b). Funds retained by an early learning coalition
 491 under this subsection may be used only for administering the
 492 Voluntary Prekindergarten Education Program and may not be used
 493 for the school readiness program or other programs.

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494 Section 13. Subsection (4) of section 1003.03, Florida
 495 Statutes, is amended to read:

496 1003.03 Maximum class size.—

497 ~~(4) ACCOUNTABILITY. Each district that has not complied~~
 498 ~~with the requirements in subsection (1), based on the October~~
 499 ~~student membership survey, shall submit to the commissioner by~~
 500 ~~February 1 a plan certified by the district school board that~~
 501 ~~describes the specific actions the district will take in order~~
 502 ~~to fully comply with the requirements in subsection (1) by~~
 503 ~~October of the following school year.~~

504 Section 14. Paragraph (b) of subsection (1) of section
 505 1003.26, Florida Statutes, is amended to read:

506 1003.26 Enforcement of school attendance.—The Legislature
 507 finds that poor academic performance is associated with
 508 nonattendance and that school districts must take an active role
 509 in promoting and enforcing attendance as a means of improving
 510 student performance. It is the policy of the state that each
 511 district school superintendent be responsible for enforcing
 512 school attendance of all students subject to the compulsory
 513 school age in the school district and supporting enforcement of
 514 school attendance by local law enforcement agencies. The
 515 responsibility includes recommending policies and procedures to
 516 the district school board that require public schools to respond
 517 in a timely manner to every unexcused absence, and every absence
 518 for which the reason is unknown, of students enrolled in the
 519 schools. District school board policies shall require the parent
 520 of a student to justify each absence of the student, and that
 521 justification will be evaluated based on adopted district school
 522 board policies that define excused and unexcused absences. The

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523 policies must provide that public schools track excused and
 524 unexcused absences and contact the home in the case of an
 525 unexcused absence from school, or an absence from school for
 526 which the reason is unknown, to prevent the development of
 527 patterns of nonattendance. The Legislature finds that early
 528 intervention in school attendance is the most effective way of
 529 producing good attendance habits that will lead to improved
 530 student learning and achievement. Each public school shall
 531 implement the following steps to promote and enforce regular
 532 school attendance:

533 (1) CONTACT, REFER, AND ENFORCE.—

534 (b) If a student has had at least five unexcused absences,
 535 or absences for which the reasons are unknown, within a calendar
 536 month or 10 unexcused absences, or absences for which the
 537 reasons are unknown, within a 90-calendar-day period, or a
 538 period of time less than 90 days as determined by the district
 539 school board, the student's primary teacher must ~~shall~~ report to
 540 the school principal or his or her designee that the student may
 541 be exhibiting a pattern of nonattendance. The principal shall,
 542 unless there is clear evidence that the absences are not a
 543 pattern of nonattendance, refer the case to the school's child
 544 study team to determine if early patterns of truancy are
 545 developing. If the child study team finds that a pattern of
 546 nonattendance is developing, whether the absences are excused or
 547 not, a meeting with the parent must be scheduled to identify
 548 potential remedies, and the principal must ~~shall~~ notify the
 549 district school superintendent and the school district contact
 550 for home education programs that the referred student is
 551 exhibiting a pattern of nonattendance.

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552 Section 15. Effective upon becoming a law, paragraphs (a)
 553 and (b) of subsection (3), paragraph (c) of subsection (5), and
 554 subsection (6) of section 1003.4282, Florida Statutes, are
 555 amended to read:

556 1003.4282 Requirements for a standard high school diploma.—

557 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
 558 REQUIREMENTS.—

559 (a) *Four credits in English Language Arts (ELA).*—The four
 560 credits must be in ELA I, II, III, and IV. A student's
 561 performance on the statewide, standardized grade 10 ELA
 562 assessment constitutes 30 percent of the student's final course
 563 grade. A student must pass the statewide, standardized grade 10
 564 ELA assessment, or earn a concordant score, in order to earn a
 565 standard high school diploma.

566 (b) *Four credits in mathematics.*—

567 1. A student must earn one credit in Algebra I and one
 568 credit in Geometry. A student's performance on the statewide,
 569 standardized Algebra I end-of-course (EOC) assessment
 570 constitutes 30 percent of the student's final course grade. ~~A~~
 571 ~~student must pass the statewide, standardized Algebra I EOC~~
 572 ~~assessment, or earn a comparative score, in order to earn a~~
 573 ~~standard high school diploma.~~ A student's performance on the
 574 statewide, standardized Geometry EOC assessment constitutes 30
 575 percent of the student's final course grade.

576 2. A student who earns an industry certification for which
 577 there is a statewide college credit articulation agreement
 578 approved by the State Board of Education may substitute the
 579 certification for one mathematics credit. Substitution may occur
 580 for up to two mathematics credits, except for Algebra I and

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581 Geometry. A student may earn two mathematics credits by
 582 successfully completing Algebra I through two full-year courses.
 583 A certified school counselor or the principal's designee shall
 584 ~~must~~ advise the student that admission to a state university may
 585 require the student to earn 3 additional mathematics credits
 586 that are at least as rigorous as Algebra I.

587 3. A student who earns a computer science credit may
 588 substitute the credit for up to one credit of the mathematics
 589 requirement, with the exception of Algebra I and Geometry, if
 590 the commissioner identifies the computer science credit as being
 591 equivalent in rigor to the mathematics credit. An identified
 592 computer science credit may not be used to substitute for both a
 593 mathematics and a science credit. A student who earns an
 594 industry certification in 3D rapid prototype printing may
 595 satisfy up to two credits of the mathematics requirement, with
 596 the exception of Algebra I, if the commissioner identifies the
 597 certification as being equivalent in rigor to the mathematics
 598 credit or credits.

599 (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—

600 (c) A student who earns the required 24 credits, or the
 601 required 18 credits under s. 1002.3105(5), but fails to ~~pass the~~
 602 ~~assessments required under s. 1008.22(3) or~~ achieve a 2.0 GPA
 603 shall be awarded a certificate of completion in a form
 604 prescribed by the State Board of Education. However, a student
 605 who is otherwise entitled to a certificate of completion may
 606 elect to remain in high school either as a full-time student or
 607 a part-time student for up to 1 additional year and receive
 608 special instruction designed to remedy his or her identified
 609 deficiencies.

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610 (6) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.—~~Beginning with~~
 611 ~~the 2012-2013 school year, if a student transfers to a Florida~~
 612 ~~public high school from out of country, out of state, a private~~
 613 ~~school, a personalized education program, or a home education~~
 614 ~~program and the student's transcript shows a credit in Algebra~~
 615 ~~I, the student must pass the statewide, standardized Algebra I~~
 616 ~~EOC assessment in order to earn a standard high school diploma~~
 617 ~~unless the student earned a comparative score, passed a~~
 618 ~~statewide assessment in Algebra I administered by the~~
 619 ~~transferring entity, or passed the statewide mathematics~~
 620 ~~assessment the transferring entity uses to satisfy the~~
 621 ~~requirements of the Elementary and Secondary Education Act, as~~
 622 ~~amended by the Every Student Succeeds Act (ESSA), 20 U.S.C. ss.~~
 623 ~~6301 et seq. If a student's transcript shows a credit in high~~
 624 ~~school reading or English Language Arts II or III, in order to~~
 625 ~~earn a standard high school diploma, the student must take and~~
 626 ~~pass the statewide, standardized grade 10 ELA assessment, or~~
 627 ~~earn a concordant score. If a transfer student's transcript~~
 628 ~~shows a final course grade and course credit in Algebra I,~~
 629 ~~Geometry, Biology I, ~~or~~ United States History, or the equivalent~~
 630 ~~of a grade 10 ELA course, the transferring course final grade~~
 631 ~~and credit must shall be honored without the student taking the~~
 632 ~~requisite statewide, standardized EOC assessment and without the~~
 633 ~~assessment results constituting 30 percent of the student's~~
 634 ~~final course grade.~~

635 Section 16. Effective upon becoming a law, section
 636 1003.433, Florida Statutes, is amended to read:

637 1003.433 Learning opportunities for out-of-state and out-
 638 of-country transfer students and students needing additional

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639 instruction to meet high school graduation requirements.-

640 ~~(1) Students who enter a Florida public school at the 11th~~
 641 ~~or 12th grade from out of state or out of country may shall not~~
 642 ~~be required to spend additional time in a Florida public school~~
 643 ~~in order to meet the high school course requirements if the~~
 644 ~~student has met all requirements of the school district, state,~~
 645 ~~or country from which he or she is transferring. Such students~~
 646 ~~who are not proficient in English should receive immediate and~~
 647 ~~intensive instruction in English language acquisition. However,~~
 648 ~~to receive a standard high school diploma, a transfer student~~
 649 ~~must earn a 2.0 grade point average and meet the requirements~~
 650 ~~under s. 1008.22.~~

651 ~~(2) Students who earn the required 24 credits for the~~
 652 ~~standard high school diploma except for passage of any must-pass~~
 653 ~~assessment under s. 1003.4282 or s. 1008.22 or an alternate~~
 654 ~~assessment by the end of grade 12 must be provided the following~~
 655 ~~learning opportunities:~~

656 ~~(a) Participation in an accelerated high school equivalency~~
 657 ~~diploma preparation program during the summer.~~

658 ~~(b) Upon receipt of a certificate of completion, be allowed~~
 659 ~~to take the College Placement Test and be admitted to~~
 660 ~~developmental education or credit courses at a Florida College~~
 661 ~~System institution, as appropriate.~~

662 ~~(c) Participation in an adult general education program as~~
 663 ~~provided in s. 1004.93 for such time as the student requires to~~
 664 ~~master English, reading, mathematics, or any other subject~~
 665 ~~required for high school graduation. A student attending an~~
 666 ~~adult general education program shall have the opportunity to~~
 667 ~~take any must-pass assessment under s. 1003.4282 or s. 1008.22~~

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668 ~~an unlimited number of times in order to receive a standard high~~
 669 ~~school diploma.~~

670 ~~(3) Students who have been enrolled in an ESOL program for~~
 671 ~~less than 2 school years and have met all requirements for the~~
 672 ~~standard high school diploma except for passage of any must-pass~~
 673 ~~assessment under s. 1003.4282 or s. 1008.22 or alternate~~
 674 ~~assessment may:~~

675 ~~(a) Receive immersion English language instruction during~~
 676 ~~the summer following their senior year. Students receiving such~~
 677 ~~instruction are eligible to take the required assessment or~~
 678 ~~alternate assessment and receive a standard high school diploma~~
 679 ~~upon passage of the required assessment or alternate assessment.~~
 680 ~~This paragraph shall be implemented to the extent funding is~~
 681 ~~provided in the General Appropriations Act.~~

682 ~~(b) Beginning with the 2022-2023 school year, meet the~~
 683 ~~requirement to pass the statewide, standardized grade 10 English~~
 684 ~~Language Arts assessment by satisfactorily demonstrating grade-~~
 685 ~~level expectations on formative assessments, in accordance with~~
 686 ~~state board rule.~~

687 Section 17. Paragraph (j) is added to subsection (6) of
 688 section 1006.1494, Florida Statutes, to read:

689 1006.1494 Student online personal information protection.-
 690 (6) This section does not do any of the following:
 691 (j) Impose requirements for a K-12 school, school district,
 692 or district school board.

693
 694 The State Board of Education may adopt rules to implement this
 695 section.

696 Section 18. Subsection (2) of section 1006.40, Florida

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697 Statutes, is amended to read:

698 1006.40 Purchase of instructional materials.—

699 (2) Each district school board must purchase current
700 instructional materials to provide each student in kindergarten
701 through grade 12 with a major tool of instruction in core
702 courses of the subject areas of mathematics, language arts,
703 science, social studies, reading, and literature. Such purchase
704 must be made within the first 5 ~~3~~ years after the effective date
705 of the adoption cycle unless a district school board or a
706 consortium of school districts has implemented an instructional
707 materials program pursuant to s. 1006.283.

708 Section 19. Subsections (2) and (3) of section 1008.212,
709 Florida Statutes, are amended to read:

710 1008.212 Students with disabilities; extraordinary
711 exemption.—

712 (2) A student with a disability for whom the individual
713 education plan (IEP) team determines is prevented by a
714 circumstance or condition from physically demonstrating the
715 mastery of skills that have been acquired and are measured by
716 the statewide standardized assessment, a statewide standardized
717 end-of-course assessment, or an alternate assessment pursuant to
718 s. 1008.22(3)(d) shall be granted an extraordinary exemption
719 from the administration of the assessment. A learning,
720 emotional, behavioral, or significant cognitive disability, or
721 the receipt of services through the homebound or hospitalized
722 program in accordance with rule 6A-6.03020, Florida
723 Administrative Code, is not, in and of itself, an adequate
724 criterion for the granting of an extraordinary exemption. The
725 first two administrations of the coordinated screening and

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726 progress monitoring system under s. 1008.25(9) or any alternate
727 assessments used in lieu of such administrations are not subject
728 to the requirements of this section.

729 (3) The IEP team, which must include the parent, may submit
730 to the district school superintendent a written request for an
731 extraordinary exemption at any time during the school year,
732 subject to deadlines established by the district school
733 superintendent but not later than 60 days before the current
734 year's assessment administration for which the request is made.
735 A request must include all of the following:

736 (a) A written description of the student's disabilities,
737 including a specific description of the student's impaired
738 sensory, manual, or speaking skills.

739 (b) Written documentation of the most recent evaluation
740 data.

741 (c) Written documentation, if available, of the most recent
742 administration of the statewide standardized assessment, an end-
743 of-course assessment, or an alternate assessment.

744 (d) A written description of the condition's effect on the
745 student's participation in the statewide standardized
746 assessment, an end-of-course assessment, or an alternate
747 assessment.

748 (e) Written evidence that the student has had the
749 opportunity to learn the skills being tested.

750 (f) Written evidence that the student has been provided
751 appropriate instructional accommodations.

752 (g) Written evidence as to whether the student has had the
753 opportunity to be assessed using the instructional
754 accommodations on the student's IEP which are allowable in the

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755 administration of the statewide standardized assessment, an end-
 756 of-course assessment, or an alternate assessment in prior
 757 assessments.

758 (h) Written evidence of the circumstance or condition as
 759 defined in subsection (1).

760 Section 20. Paragraphs (a), (b), and (d) of subsection (7)
 761 of section 1008.22, Florida Statutes, are amended to read:

762 1008.22 Student assessment program for public schools.—
 763 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—
 764 (a) The Commissioner of Education shall establish schedules
 765 for the administration of statewide, standardized assessments
 766 and the reporting of student assessment results. The
 767 commissioner shall consider the observance of religious and
 768 school holidays when developing the schedules. By January 1 of
 769 each year, the commissioner shall notify each school district in
 770 writing and publish on the department's website the assessment
 771 schedule for, at a minimum, the next 2 school years. The
 772 assessment and reporting schedules must provide the earliest
 773 possible reporting of student assessment results to the school
 774 districts. Assessment results for the statewide, standardized
 775 ELA and Mathematics assessments and all statewide, standardized
 776 EOC assessments must be made available no later than June 30,
 777 except for results for the grade 3 statewide, standardized ELA
 778 assessment, which must be made available no later than May 31.
 779 Beginning with the 2023-2024 school year, assessment results for
 780 the statewide, standardized ELA and Mathematics assessments must
 781 be available no later than May 31. School districts shall
 782 administer statewide, standardized assessments in accordance
 783 with the schedule established by the commissioner.

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784 ~~(b) By January of each year, the commissioner shall publish~~
 785 ~~on the department's website a uniform calendar that includes the~~
 786 ~~assessment and reporting schedules for, at a minimum, the next 2~~
 787 ~~school years. The uniform calendar must be provided to school~~
 788 ~~districts in an electronic format that allows each school~~
 789 ~~district and public school to populate the calendar with, at~~
 790 ~~minimum, the following information for reporting the district~~
 791 ~~assessment schedules under paragraph (d):~~

792 ~~1. Whether the assessment is a district-required assessment~~
 793 ~~or a state-required assessment.~~

794 ~~2. The specific date or dates that each assessment will be~~
 795 ~~administered, including administrations of the coordinated~~
 796 ~~screening and progress monitoring system under s. 1008.25(9)(b).~~

797 ~~3. The time allotted to administer each assessment.~~

798 ~~4. Whether the assessment is a computer-based assessment or~~
 799 ~~a paper-based assessment.~~

800 ~~5. The grade level or subject area associated with the~~
 801 ~~assessment.~~

802 ~~6. The date that the assessment results are expected to be~~
 803 ~~available to teachers and parents.~~

804 ~~7. The type of assessment, the purpose of the assessment,~~
 805 ~~and the use of the assessment results.~~

806 ~~8. A glossary of assessment terminology.~~

807 ~~9. Estimates of average time for administering state-~~
 808 ~~required and district-required assessments, by grade level.~~

809 (c)(d) Each school district shall, by November 1 of each
 810 year, establish schedules for the administration of any
 811 statewide, standardized assessments and district-required
 812 assessments and approve the schedules as an agenda item at a

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813 district school board meeting. Each school district shall
 814 publish ~~the~~ testing schedules on its website which specify
 815 whether an assessment is a state-required or district-required
 816 assessment and the grade bands or subject areas associated with
 817 the assessments using the uniform calendar, including all
 818 information required under paragraph (b), and submit the
 819 schedules to the Department of Education by October 1 of each
 820 year. Each public school shall publish schedules for statewide,
 821 standardized assessments and district-required assessments on
 822 its website using the uniform calendar, including all
 823 information required under paragraph (b). The school board-
 824 approved assessment uniform calendar must be included in the
 825 parent guide required by s. 1002.23(5).

826 Section 21. Paragraph (c) of subsection (5) and paragraphs
 827 (b), (c), and (d) of subsection (9) of section 1008.25, Florida
 828 Statutes, are amended to read:

829 1008.25 Public school student progression; student support;
 830 coordinated screening and progress monitoring; reporting
 831 requirements.-

832 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.-

833 (c) To be promoted to grade 4, a student must score a Level
 834 2 or higher in English Language Arts for grade 3 on any
 835 administration of the coordinated screening and progress
 836 monitoring system, which includes ~~on~~ the statewide, standardized
 837 English Language Arts assessment required under s. 1008.22 ~~for~~
 838 ~~grade 3~~. If a student's reading deficiency is not remedied by
 839 the end of grade 3, as demonstrated by scoring Level 2 or higher
 840 on the mid-year or final administration of the coordinated
 841 screening and progress monitoring system, which includes the

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842 statewide, standardized assessment required under s. 1008.22 for
 843 grade 3, the student must be retained.

844 (9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.-

845 (b) Beginning with the 2022-2023 school year, private
 846 Voluntary Prekindergarten Education Program providers and public
 847 schools must participate in the coordinated screening and
 848 progress monitoring system pursuant to this paragraph.

849 1. For students in the school-year Voluntary
 850 Prekindergarten Education Program through grade 2, the
 851 coordinated screening and progress monitoring system must be
 852 administered at least three times within a school year, with the
 853 first administration occurring no later than the first 30
 854 instructional days after a student's enrollment or the start of
 855 the school year, the second administration occurring midyear,
 856 and the third administration occurring within the last 30 days
 857 of the school year pursuant to state board rule. The state board
 858 may adopt alternate timeframes to address nontraditional school
 859 year calendars to ensure the coordinated screening and progress
 860 monitoring program is administered a minimum of three times
 861 within a year.

862 2. For students in the summer prekindergarten program, the
 863 coordinated screening and progress monitoring system must be
 864 administered two times, with the first administration occurring
 865 no later than the first 10 instructional days after a student's
 866 enrollment or the start of the summer prekindergarten program,
 867 and the final administration occurring within the last 10 days
 868 of the summer prekindergarten program pursuant to state board
 869 rule.

870 3. For grades 3 through 10 English Language Arts and grades

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 871 3 through 8 Mathematics, the coordinated screening and progress
 872 monitoring system must be administered at the beginning, middle,
 873 and end of the school year pursuant to state board rule. The
 874 end-of-year administration of the coordinated screening and
 875 progress monitoring system must be a comprehensive progress
 876 monitoring assessment administered in accordance with the
 877 scheduling requirements under s. 1008.22(7)(b) ~~s. 1008.22(7)(e)~~.

(c) To facilitate timely interventions and supports
 879 pursuant to subsection (4), the system must provide results from
 880 the first two administrations of the progress monitoring to a
 881 student's teacher or prekindergarten instructor within 1 week
 882 and to the student's parent within 2 weeks after the
 883 administration of the progress monitoring. Delivery of results
 884 from the comprehensive, end-of-year progress monitoring ELA
 885 assessment for grades 3 through 10 and Mathematics assessment
 886 for grades 3 through 8 must be in accordance with s.
 887 1008.22(7)(g) ~~s. 1008.22(7)(h)~~.

1. A student's results from the coordinated screening and
 889 progress monitoring system must be recorded in a written, easy-
 890 to-comprehend individual student report. Each school district
 891 shall provide a parent secure access to his or her child's
 892 individual student reports through a web-based portal as part of
 893 its student information system. Each early learning coalition
 894 shall provide parents the individual student report in a format
 895 determined by state board rule.

2. In addition to the information under subparagraph (a)5.,
 897 the report must also include parent resources that explain the
 898 purpose of progress monitoring, assist the parent in
 899 interpreting progress monitoring results, and support informed

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 900 parent involvement. Parent resources may include personalized
 901 video formats.

3. The department shall annually update school districts
 903 and early learning coalitions on new system features and
 904 functionality and collaboratively identify with school districts
 905 and early learning coalitions strategies for meaningfully
 906 reporting to parents results from the coordinated screening and
 907 progress monitoring system. The department shall develop ways to
 908 increase the utilization, by instructional staff and parents, of
 909 student assessment data and resources.

4. An individual student report must be provided in a
 911 printed format upon a parent's request.

(d) Screening and progress monitoring system results,
 913 including the number of students who demonstrate characteristics
 914 of dyslexia and dyscalculia, shall be reported to the department
 915 pursuant to state board rule and maintained in the department's
 916 Education Data Warehouse. Results must be provided to a
 917 student's teacher and parent in a timely manner as required in
 918 s. 1008.22(7)(f) ~~s. 1008.22(7)(g)~~.

Section 22. Paragraph (c) of subsection (3) and subsection
 920 (5) of section 1008.33, Florida Statutes, are amended to read:
 921 1008.33 Authority to enforce public school improvement.—
 922 (3)

(c) The state board shall adopt by rule a differentiated
 924 matrix of intervention and support strategies for assisting
 925 traditional public schools identified under this section and
 926 rules for implementing s. 1002.33(9)(n), relating to charter
 927 schools. The intervention and support strategies must address
 928 student performance and may include improvement planning;

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929 leadership quality improvement; educator quality improvement;
 930 professional learning; curriculum review, pacing, and alignment
 931 across grade levels to improve background knowledge in social
 932 studies, science, and the arts; and the use of continuous
 933 improvement and monitoring plans and processes. In addition, the
 934 state board may prescribe reporting requirements to review and
 935 monitor the progress of the schools. The rule must define the
 936 intervention and support strategies for school improvement for
 937 schools earning a grade of "D" or "F" and the roles for the
 938 district and department. A school may not be required to use the
 939 measure of student learning growth in s. 1012.34(7) as the sole
 940 determinant to recruit instructional personnel. The rule must
 941 create a timeline for a school district's school improvement
 942 plan or district-managed turnaround plan to be approved and for
 943 the school improvement funds under Title I to be released to the
 944 school district. The timeline established in rule for the
 945 release of school improvement funding under Title I may not
 946 exceed 20 calendar days after the approval of the school
 947 improvement plan or district-managed turnaround plan.

948 (5) The state board shall adopt rules pursuant to ss.
 949 120.536(1) and 120.54 to administer this section. The rules
 950 shall include timelines for submission of implementation plans,
 951 approval criteria for implementation plans, timelines for
 952 releasing Title I funding, implementing intervention and support
 953 strategies, a standard charter school turnaround contract, a
 954 standard facility lease, and a mutual management agreement. The
 955 state board shall consult with education stakeholders in
 956 developing the rules.

957 Section 23. Paragraph (e) is added to subsection (2) of

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958 section 1010.20, Florida Statutes, to read:

959 1010.20 Cost accounting and reporting for school
 960 districts.-

961 (2) COST REPORTING.-

962 (e) Each charter school shall receive and respond to
 963 monitoring questions from the department.

964 Section 24. Subsections (2) and (4) of section 1011.035,
 965 Florida Statutes, are amended to read:

966 1011.035 School district fiscal transparency.-

967 (2) Each district school board shall post on its website:

968 (a) A plain language version of each proposed, tentative,
 969 and official budget which describes each budget item in terms
 970 that are easily understandable to the public and ~~includes:~~

971 ~~(a) Graphical representations, for each public school~~
 972 ~~within the district and for the school district, of the~~
 973 ~~following:~~

974 1. ~~Summary financial efficiency data.~~

975 2. ~~Fiscal trend information for the previous 3 years on:~~
 976 a. ~~The ratio of full-time equivalent students to full-time~~
 977 ~~equivalent instructional personnel.~~

978 b. ~~The ratio of full-time equivalent students to full-time~~
 979 ~~equivalent administrative personnel.~~

980 c. ~~The total operating expenditures per full-time~~
 981 ~~equivalent student.~~

982 d. ~~The total instructional expenditures per full-time~~
 983 ~~equivalent student.~~

984 e. ~~The general administrative expenditures as a percentage~~
 985 ~~of total budget.~~

986 f. ~~The rate of change in the general fund's ending fund~~

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987 ~~balance not classified as restricted.~~

988 (b) A link to the web-based fiscal transparency tool
989 developed by the department pursuant to s. 1010.20 to enable
990 taxpayers to evaluate the financial efficiency of the school
991 district and compare the financial efficiency of the school
992 district with other similarly situated school districts.

993 This information must be prominently posted on the school
994 district's website in a manner that is readily accessible to the
995 public.

997 (4) The website should contain links to:

998 ~~(a) Help explain or provide background information on
999 various budget items that are required by state or federal law.~~

1000 ~~(b) Allow users to navigate to related sites to view
1001 supporting details.~~

1002 ~~(e)~~ enable taxpayers, parents, and education advocates to
1003 send e-mails asking questions about the budget and enable others
1004 to view the questions and responses.

1005 Section 25. Subsection (1) of section 1011.14, Florida
1006 Statutes, is amended to read:

1007 1011.14 Obligations for a period of 1 year.—District school
1008 boards are authorized only under the following conditions to
1009 create obligations by way of anticipation of budgeted revenues
1010 accruing on a current basis without pledging the credit of the
1011 district or requiring future levy of taxes for certain purposes
1012 for a period of 1 year; however, such obligations may be
1013 extended from year to year with the consent of the lender for a
1014 period not to exceed 4 years, or for a total of 5 years
1015 including the initial year of the loan:

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1016 (1) PURPOSES.—The purposes for which such obligations may
1017 be incurred within the intent of this section shall include only
1018 the purchase of school buses, land, and equipment for
1019 educational purposes; the erection of, alteration to, or
1020 addition to educational plants, ancillary plants, and auxiliary
1021 facilities; and the adjustment of insurance on educational
1022 property on a 5-year plan, as provided by rules of the State
1023 Board of Education.

1024 Section 26. Subsection (2) of section 1011.60, Florida
1025 Statutes, is amended to read:

1026 1011.60 Minimum requirements of the Florida Education
1027 Finance Program.—Each district which participates in the state
1028 appropriations for the Florida Education Finance Program shall
1029 provide evidence of its effort to maintain an adequate school
1030 program throughout the district and shall meet at least the
1031 following requirements:

1032 (2) MINIMUM TERM.—Operate all schools for a term of 180
1033 actual teaching days or the equivalent on an hourly basis as
1034 specified by rules of the State Board of Education each school
1035 year. The State Board of Education may prescribe procedures for
1036 altering, and, upon written application, may alter, this
1037 requirement during a national, state, or local emergency as it
1038 may apply to an individual school or schools in any district or
1039 districts if the district school board certifies to the
1040 Commissioner of Education that if, in the opinion of the board,
1041 it is not necessary ~~feasible~~ to make up lost days or hours, and
1042 the apportionment may, at the discretion of the Commissioner of
1043 Education and if the board determines that the reduction of
1044 school days or hours is caused by the existence of a bona fide

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1045 emergency, be reduced for such district or districts in
1046 proportion to the decrease in the length of term in any such
1047 school or schools. A strike, as defined in s. 447.203(6), by
1048 employees of the school district may not be considered an
1049 emergency.

1050 Section 27. Paragraph (o) of subsection (1) of section
1051 1011.62, Florida Statutes, is amended to read:

1052 1011.62 Funds for operation of schools.—If the annual
1053 allocation from the Florida Education Finance Program to each
1054 district for operation of schools is not determined in the
1055 annual appropriations act or the substantive bill implementing
1056 the annual appropriations act, it shall be determined as
1057 follows:

1058 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1059 OPERATION.—The following procedure shall be followed in
1060 determining the annual allocation to each district for
1061 operation:

1062 (o) *Calculation of additional full-time equivalent*
1063 *membership based on successful completion of a career-themed*
1064 *course pursuant to ss. 1003.491-1003.493, or courses with*
1065 *embedded CAPE industry certifications or CAPE Digital Tool*
1066 *certificates, and issuance of industry certification identified*
1067 *on the CAPE Industry Certification Funding List pursuant to*
1068 *rules adopted by the State Board of Education or CAPE Digital*
1069 *Tool certificates pursuant to s. 1003.4203.—*

1070 1.a. A value of 0.025 full-time equivalent student
1071 membership shall be calculated for CAPE Digital Tool
1072 certificates earned by students in elementary and middle school
1073 grades.

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1074 b. A value of 0.1 or 0.2 full-time equivalent student
1075 membership shall be calculated for each student who completes a
1076 course as defined in s. 1003.493(1)(b) or courses with embedded
1077 CAPE industry certifications and who is issued an industry
1078 certification identified annually on the CAPE Industry
1079 Certification Funding List approved under rules adopted by the
1080 State Board of Education. A value of 0.2 full-time equivalent
1081 membership shall be calculated for each student who is issued a
1082 CAPE industry certification that has a statewide articulation
1083 agreement for college credit approved by the State Board of
1084 Education. For CAPE industry certifications that do not
1085 articulate for college credit, the Department of Education shall
1086 assign a full-time equivalent value of 0.1 for each
1087 certification. Middle grades students who earn additional FTE
1088 membership for a CAPE Digital Tool certificate pursuant to sub-
1089 subparagraph a. may not rely solely on the previously funded
1090 examination to satisfy the requirements for earning an industry
1091 certification under this sub-subparagraph. The State Board of
1092 Education shall include the assigned values on the CAPE Industry
1093 Certification Funding List under rules adopted by the state
1094 board. Such value shall be added to the total full-time
1095 equivalent student membership for grades 6 through 12 in the
1096 subsequent year. CAPE industry certifications earned through
1097 dual enrollment must be reported and funded pursuant to s.
1098 1011.80. However, if a student earns a certification through a
1099 dual enrollment course and the certification is not a fundable
1100 certification on the postsecondary certification funding list,
1101 or the dual enrollment certification is earned as a result of an
1102 agreement between a school district and a nonpublic

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1103 postsecondary institution, the bonus value shall be funded in
 1104 the same manner as other nondual enrollment course industry
 1105 certifications. In such cases, the school district may provide
 1106 for an agreement between the high school and the technical
 1107 center, or the school district and the postsecondary institution
 1108 may enter into an agreement for equitable distribution of the
 1109 bonus funds.

1110 c. A value of 0.3 full-time equivalent student membership
 1111 shall be calculated for student completion of at least three
 1112 courses and an industry certification in a single career and
 1113 technical education program or program of study.

1114 d. A value of 0.5 full-time equivalent student membership
 1115 shall be calculated for CAPE Acceleration Industry
 1116 Certifications that articulate for 15 to 29 college credit
 1117 hours, and 1.0 full-time equivalent student membership shall be
 1118 calculated for CAPE Acceleration Industry Certifications that
 1119 articulate for 30 or more college credit hours pursuant to CAPE
 1120 Acceleration Industry Certifications approved by the
 1121 commissioner pursuant to ss. 1003.4203(4) and 1008.44.

1122 2. Each district must allocate at least 80 percent of the
 1123 funds provided for CAPE industry certification, in accordance
 1124 with this paragraph, to the program that generated the funds,
 1125 and any remaining funds provided for CAPE industry certification
 1126 for school district career and technical education programs.
 1127 This allocation may not be used to supplant funds provided for
 1128 basic operation of the program.

1129 3. For CAPE industry certifications earned in the 2013-2014
 1130 school year and in subsequent years, the school district shall
 1131 distribute to each classroom teacher who provided direct

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1132 instruction toward the attainment of a CAPE industry
 1133 certification that qualified for additional full-time equivalent
 1134 membership under subparagraph 1.:

1135 a. A bonus of \$25 for each student taught by a teacher who
 1136 provided instruction in a course that led to the attainment of a
 1137 CAPE industry certification on the CAPE Industry Certification
 1138 Funding List with a weight of 0.1.

1139 b. A bonus of \$50 for each student taught by a teacher who
 1140 provided instruction in a course that led to the attainment of a
 1141 CAPE industry certification on the CAPE Industry Certification
 1142 Funding List with a weight of 0.2.

1143 c. A bonus of \$75 for each student taught by a teacher who
 1144 provided instruction in a course that led to the attainment of a
 1145 CAPE industry certification on the CAPE Industry Certification
 1146 Funding List with a weight of 0.3.

1147 d. A bonus of \$100 for each student taught by a teacher who
 1148 provided instruction in a course that led to the attainment of a
 1149 CAPE industry certification on the CAPE Industry Certification
 1150 Funding List with a weight of 0.5 or 1.0.

1151 ~~Bonuses awarded pursuant to this paragraph shall be provided to~~
 1152 ~~teachers who are employed by the district in the year in which~~
 1153 ~~the additional FTE membership calculation is included in the~~
 1154 ~~calculation.~~ Bonuses shall be calculated based upon the
 1155 associated weight of a CAPE industry certification on the CAPE
 1156 Industry Certification Funding List for the year in which the
 1157 certification is earned by the student. Any bonus awarded to a
 1158 teacher pursuant to this paragraph is in addition to any regular
 1159 wage or other bonus the teacher received or is scheduled to
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1161 receive. A bonus may not be awarded to a teacher who fails to
 1162 maintain the security of any CAPE industry certification
 1163 examination or who otherwise violates the security or
 1164 administration protocol of any assessment instrument that may
 1165 result in a bonus being awarded to the teacher under this
 1166 paragraph.

1167 Section 28. Paragraph (b) of subsection (3) of section
 1168 1011.6202, Florida Statutes, is amended to read:

1169 1011.6202 Principal Autonomy Program Initiative.—The
 1170 Principal Autonomy Program Initiative is created within the
 1171 Department of Education. The purpose of the program is to
 1172 provide a highly effective principal of a participating school
 1173 with increased autonomy and authority to operate his or her
 1174 school, as well as other schools, in a way that produces
 1175 significant improvements in student achievement and school
 1176 management while complying with constitutional requirements. The
 1177 State Board of Education may, upon approval of a principal
 1178 autonomy proposal, enter into a performance contract with the
 1179 district school board for participation in the program.

1180 (3) EXEMPTION FROM LAWS.—

1181 (b) A participating school or a school operated by a
 1182 principal pursuant to subsection (5) shall comply with the
 1183 provisions of chapters 1000-1013, and rules of the state board
 1184 that implement those provisions, pertaining to the following:

1185 1. Those laws relating to the election and compensation of
 1186 district school board members, the election or appointment and
 1187 compensation of district school superintendents, public meetings
 1188 and public records requirements, financial disclosure, and
 1189 conflicts of interest.

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1190 2. Those laws relating to the student assessment program
 1191 and school grading system, including chapter 1008.

1192 3. Those laws relating to the provision of services to
 1193 students with disabilities.

1194 4. Those laws relating to civil rights, including s.
 1195 1000.05, relating to discrimination.

1196 5. Those laws relating to student health, safety, and
 1197 welfare.

1198 6. Section 1001.42(4)(f), relating to the uniform opening
 1199 date for public schools.

1200 7. Section 1003.03, governing maximum class size, except
 1201 that the calculation for compliance pursuant to s. 1003.03 is
 1202 the average at the school level for a participating school.

1203 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
 1204 compensation and salary schedules.

1205 9. Section 1012.33(5), relating to workforce reductions for
 1206 annual contracts for instructional personnel. This subparagraph
 1207 does not apply to at-will employees.

1208 10. Section 1012.335, relating to annual or instructional
 1209 multiyear contracts for instructional personnel hired on or
 1210 after July 1, 2011. This subparagraph does not apply to at-will
 1211 employees.

1212 11. Section 1012.34, relating to personnel evaluation
 1213 procedures and criteria.

1214 12. Those laws pertaining to educational facilities,
 1215 including chapter 1013, except that s. 1013.20, relating to
 1216 covered walkways for relocatables, is eligible for exemption.

1217 13. Those laws pertaining to participating school
 1218 districts, including this section and ss. 1011.69(2) and

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1219 1012.28(8).

1220 Section 29. Subsection (4) of section 1011.69, Florida

1221 Statutes, is amended, and subsection (5) is added to that

1222 section, to read:

1223 1011.69 Equity in School-Level Funding Act.—

1224 (4) After providing Title I, Part A, Basic funds to schools

1225 above the 75 percent poverty threshold, which may include high

1226 schools above the 50 percent threshold as permitted by federal

1227 law, school districts shall provide any remaining Title I, Part

1228 A, Basic funds directly to all eligible schools as provided in

1229 this subsection. For purposes of this subsection, an eligible

1230 school is a school that is eligible to receive Title I funds,

1231 including a charter school. ~~The threshold for identifying~~

1232 ~~eligible schools may not exceed the threshold established by a~~

1233 ~~school district for the 2016-2017 school year or the statewide~~

1234 ~~percentage of economically disadvantaged students, as determined~~

1235 ~~annually.~~

1236 (a) Prior to the allocation of Title I funds to eligible

1237 schools, a school district may withhold funds only as follows:

1238 1. One percent for parent involvement, in addition to the

1239 one percent the district must reserve under federal law for

1240 allocations to eligible schools for parent involvement;

1241 2. A necessary and reasonable amount for administration

1242 which includes the district's indirect cost rate, not to exceed

1243 a total of 10 percent;

1244 3. A reasonable and necessary amount to provide:

1245 a. Homeless programs;

1246 b. Delinquent and neglected programs;

1247 c. Prekindergarten programs and activities;

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1248 d. Private school equitable services; and

1249 e. Transportation for foster care children to their school

1250 of origin or choice programs;

1251 4. Up to 5 percent to provide financial incentives and

1252 rewards to teachers who serve students in eligible schools,

1253 including charter schools, identified for comprehensive support

1254 and improvement activities or targeted support and improvement

1255 activities, for the purpose of attracting and retaining

1256 qualified and effective teachers, including teachers of any

1257 subject or grade level for whom a measurement under s.

1258 1012.34(7) or a state-approved Alternative Student Growth Model

1259 is unavailable; and

1260 ~~5.4.~~ A necessary and reasonable amount, ~~not to exceed 1~~

1261 ~~percent,~~ for eligible schools, including charter schools, to

1262 provide educational services in accordance with the approved

1263 Title I plan.

1264 (b) All remaining Title I funds shall be distributed to all

1265 eligible schools in accordance with federal law and regulation.

1266 An eligible school may use funds under this subsection to

1267 participate in discretionary educational services provided by

1268 the school district. Any funds provided by an eligible school to

1269 participate in discretionary educational services provided by

1270 the school district are not subject to the requirements of this

1271 subsection.

1272 (c) Any funds carried forward by the school district are

1273 not subject to the requirements of this subsection.

1274 (5) The Department of Education shall make funds from Title

1275 I, Title II, and Title III programs available to local education

1276 agencies for the full period of availability provided in federal

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1277 law.

1278 Section 30. Paragraphs (c), (e), and (h) of subsection (2)
1279 of section 1011.71, Florida Statutes, are amended to read:

1280 1011.71 District school tax.—

1281 (2) In addition to the maximum millage levy as provided in
1282 subsection (1), each school board may levy not more than 1.5
1283 mills against the taxable value for school purposes for charter
1284 schools pursuant to s. 1013.62(1) and (3) and for district
1285 schools to fund:

1286 (c) The purchase, lease-purchase, or lease of school buses
1287 or other motor vehicles regularly used for the transportation of
1288 prekindergarten disability program and K-12 public school
1289 students to and from school or to and from school activities,
1290 and owned, operated, rented, contracted, or leased by any
1291 district school board.

1292 (e) Payments for educational plants, ancillary plants, and
1293 auxiliary facilities and sites due under a lease-purchase
1294 agreement entered into by a district school board pursuant to s.
1295 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate,
1296 an amount equal to three-fourths of the proceeds from the
1297 millage levied by a district school board pursuant to this
1298 subsection. The three-fourths limit is waived for lease-purchase
1299 agreements entered into before June 30, 2009, by a district
1300 school board pursuant to this paragraph. If payments under
1301 lease-purchase agreements in the aggregate, including lease-
1302 purchase agreements entered into before June 30, 2009, exceed
1303 three-fourths of the proceeds from the millage levied pursuant
1304 to this subsection, the district school board may not withhold
1305 the administrative fees authorized by s. 1002.33(20) from any

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1306 charter school operating in the school district.

1307 (h) Payment of costs of leasing relocatable educational
1308 plants, ancillary plants, and auxiliary facilities, of renting
1309 or leasing educational plants, ancillary plants, and auxiliary
1310 facilities and sites pursuant to s. 1013.15(2), or of renting or
1311 leasing buildings or space within existing buildings pursuant to
1312 s. 1013.15(4).

1313 Section 31. Paragraph (c) of subsection (1) and paragraph
1314 (a) of subsection (3) of section 1012.22, Florida Statutes, are
1315 amended to read:

1316 1012.22 Public school personnel; powers and duties of the
1317 district school board.—The district school board shall:

1318 (1) Designate positions to be filled, prescribe
1319 qualifications for those positions, and provide for the
1320 appointment, compensation, promotion, suspension, and dismissal
1321 of employees as follows, subject to the requirements of this
1322 chapter:

1323 (c) *Compensation and salary schedules.*—

1324 1. Definitions.—As used in this paragraph:

1325 a. "Adjustment" means an addition to the base salary
1326 schedule that is not a bonus and becomes part of the employee's
1327 permanent base salary and shall be considered compensation under
1328 s. 121.021(22).

1329 b. "Grandfathered salary schedule" means the salary
1330 schedule or schedules adopted by a district school board before
1331 July 1, 2014, pursuant to subparagraph 4.

1332 c. "Instructional personnel" means instructional personnel
1333 as defined in s. 1012.01(2)(a)-(d), excluding substitute
1334 teachers.

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1335 d. "Performance salary schedule" means the salary schedule
1336 or schedules adopted by a district school board pursuant to
1337 subparagraph 5.

1338 e. "Salary schedule" means the schedule or schedules used
1339 to provide the base salary for district school board personnel.

1340 f. "School administrator" means a school administrator as
1341 defined in s. 1012.01(3)(c).

1342 g. "Supplement" means an annual addition to the base salary
1343 for the term of the negotiated supplement as long as the
1344 employee continues his or her employment for the purpose of the
1345 supplement. A supplement does not become part of the employee's
1346 continuing base salary but shall be considered compensation
1347 under s. 121.021(22).

1348 2. Cost-of-living adjustment.—A district school board may
1349 provide a cost-of-living salary adjustment if the adjustment:

1350 a. Does not discriminate among comparable classes of
1351 employees based upon the salary schedule under which they are
1352 compensated.

1353 b. Does not exceed 50 percent of the annual adjustment
1354 provided to instructional personnel rated as effective.

1355 3. Advanced degrees.—A district school board may use
1356 advanced degrees in setting a salary schedule for instructional
1357 personnel or school administrators if the advanced degree is
1358 held in the individual's area of certification. For purposes of
1359 the salary schedule, an advanced degree may include a doctorate
1360 or master's degree in the area of certification, or a doctorate
1361 or master's degree with a minimum of 18 graduate semester hours
1362 in the area of certification.

1363 4. Grandfathered salary schedule.—

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1364 a. The district school board shall adopt a salary schedule
1365 or salary schedules to be used as the basis for paying all
1366 school employees hired before July 1, 2014. Instructional
1367 personnel on annual contract as of July 1, 2014, shall be placed
1368 on the performance salary schedule adopted under subparagraph 4.
1369 ~~5.~~ Instructional personnel on continuing contract or
1370 professional service contract may opt into the performance
1371 salary schedule if the employee relinquishes such contract and
1372 agrees to be employed on an annual contract under s. 1012.335.
1373 Such an employee shall be placed on the performance salary
1374 schedule and may not return to continuing contract or
1375 professional service contract status. Any employee who opts into
1376 the performance salary schedule may not return to the
1377 grandfathered salary schedule.

1378 b. In determining the grandfathered salary schedule for
1379 instructional personnel, a district school board must base a
1380 portion of each employee's compensation upon performance
1381 demonstrated under s. 1012.34 and shall provide differentiated
1382 pay for both instructional personnel and school administrators
1383 based upon district-determined factors, including, but not
1384 limited to, additional responsibilities, school demographics,
1385 critical shortage areas, and level of job performance
1386 difficulties.

1387 5. Performance salary schedule.—By July 1, 2014, the
1388 district school board shall adopt a performance salary schedule
1389 that provides annual salary adjustments for instructional
1390 personnel and school administrators based upon performance
1391 determined under s. 1012.34. Employees hired on or after July 1,
1392 2014, or employees who choose to move from the grandfathered

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1393 salary schedule to the performance salary schedule shall be
1394 compensated pursuant to the performance salary schedule once
1395 they have received the appropriate performance evaluation for
1396 this purpose.

1397 a. Base salary.—The base salary shall be established as
1398 follows:

1399 (I) The base salary for instructional personnel or school
1400 administrators who opt into the performance salary schedule
1401 shall be the salary paid in the prior year, including
1402 adjustments only.

1403 (II) Instructional personnel or school administrators new
1404 to the district, returning to the district after a break in
1405 service without an authorized leave of absence, or appointed for
1406 the first time to a position in the district in the capacity of
1407 instructional personnel or school administrator shall be placed
1408 on the performance salary schedule.

1409 b. Salary adjustments.—Salary adjustments for highly
1410 effective or effective performance shall be established as
1411 follows:

1412 (I) The annual salary adjustment under the performance
1413 salary schedule for an employee rated as highly effective must
1414 be at least 25 percent greater than the highest annual salary
1415 adjustment available to an employee of the same classification
1416 through any other salary schedule adopted by the district.

1417 (II) The annual salary adjustment under the performance
1418 salary schedule for an employee rated as effective must be equal
1419 to at least 50 percent and no more than 75 percent of the annual
1420 adjustment provided for a highly effective employee of the same
1421 classification.

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1422 (III) A salary schedule may ~~shall~~ not provide an annual
1423 salary adjustment for an employee who receives a rating other
1424 than highly effective or effective for the year.

1425 c. Salary supplements.—In addition to the salary
1426 adjustments, each district school board shall provide for salary
1427 supplements for activities that must include, but are not
1428 limited to:

1429 (I) Assignment to a Title I eligible school.

1430 (II) Assignment to a school that earned a grade of "F" or
1431 three consecutive grades of "D" pursuant to s. 1008.34 such that
1432 the supplement remains in force for at least 1 year following
1433 improved performance in that school.

1434 (III) Certification and teaching in critical teacher
1435 shortage areas. Statewide critical teacher shortage areas shall
1436 be identified by the State Board of Education under s. 1012.07.
1437 However, the district school board may identify other areas of
1438 critical shortage within the school district for purposes of
1439 this sub-sub-subparagraph and may remove areas identified by the
1440 state board which do not apply within the school district.

1441 (IV) Assignment of additional academic responsibilities.

1442
1443 If budget constraints in any given year limit a district school
1444 board's ability to fully fund all adopted salary schedules, the
1445 performance salary schedule may ~~shall~~ not be reduced on the
1446 basis of total cost or the value of individual awards in a
1447 manner that is proportionally greater than reductions to any
1448 other salary schedules adopted by the district. Any compensation
1449 for longevity of service awarded to instructional personnel who
1450 are on any other salary schedule must be included in calculating

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1451 the salary adjustments required by sub-subparagraph b.
 1452 (3) (a) *Collective bargaining.*—Notwithstanding provisions of
 1453 chapter 447 related to district school board collective
 1454 bargaining, collective bargaining may not preclude a district
 1455 school board from carrying out its constitutional and statutory
 1456 duties related to the following:

- 1457 1. Providing incentives to effective and highly effective
 1458 teachers.
- 1459 2. Implementing intervention and support strategies under
 1460 s. 1008.33 to address the causes of low student performance and
 1461 improve student academic performance and attendance.
- 1462 3. Implementing student discipline provisions required by
 1463 law, including a review of a student's abilities, past
 1464 performance, behavior, and needs.
- 1465 4. Implementing school safety plans and requirements.
- 1466 5. Implementing staff and student recognition programs.
- 1467 6. Distributing correspondence to parents, teachers, and
 1468 community members related to the daily operation of schools and
 1469 the district.
- 1470 7. Providing any required notice or copies of information
 1471 related to the district school board or district operations
 1472 which is readily available on the school district's website.
- 1473 8. The school district's calendar.
- 1474 9. Providing salary supplements pursuant to sub-sub-
 1475 subparagraph (1) (c) 5.c. (III).

1476 Section 32. Present paragraphs (b) and (c) of subsection
 1477 (1) of section 1012.335, Florida Statutes, are redesignated as
 1478 paragraphs (c) and (d), respectively, a new paragraph (b) is
 1479 added to that subsection, paragraphs (d) and (e) are added to

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1480 subsection (2) of that section, and subsections (3) and (4) of
 1481 that section are amended, to read:
 1482 1012.335 Contracts with instructional personnel hired on or
 1483 after July 1, 2011.—
 1484 (1) DEFINITIONS.—As used in this section, the term:
 1485 (b) "Instructional multiyear contract," beginning July 1,
 1486 2026, means an employment contract for a period not to exceed 3
 1487 years which the district school board may choose to award upon
 1488 completion of a probationary contract and at least one annual
 1489 contract.

1490 (2) EMPLOYMENT.—
 1491 (d) An instructional multiyear contract may be awarded,
 1492 beginning July 1, 2026, only if the employee:

- 1493 1. Holds an active professional certificate or temporary
 1494 certificate issued pursuant to s. 1012.56 and rules of the State
 1495 Board of Education;
- 1496 2. Has been recommended by the district school
 1497 superintendent for the instructional multiyear contract based
 1498 upon the individual's evaluation under s. 1012.34 and approved
 1499 by the district school board; and
- 1500 3. Has not received an annual performance evaluation rating
 1501 of unsatisfactory or needs improvement under s. 1012.34.

1502 (e) An employee awarded an instructional multiyear contract
 1503 who receives an annual performance evaluation rating of
 1504 unsatisfactory or needs improvement under s. 1012.34 must be
 1505 returned to an annual contract in the following school year.
 1506 Such evaluation rating must be included with the evaluation
 1507 ratings under subsequent annual contracts for determinations of
 1508 just cause under s. 1012.33.

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1509 (3) VIOLATION OF ANNUAL OR INSTRUCTIONAL MULTIYEAR
 1510 CONTRACT.—Instructional personnel who accept a written offer
 1511 from the district school board and who leave their positions
 1512 without prior release from the district school board are subject
 1513 to the jurisdiction of the Education Practices Commission.

1514 (4) SUSPENSION OR DISMISSAL OF INSTRUCTIONAL PERSONNEL ON
 1515 ANNUAL OR INSTRUCTIONAL MULTIYEAR CONTRACT.—Any instructional
 1516 personnel with an annual or instructional multiyear contract may
 1517 be suspended or dismissed at any time during the term of the
 1518 contract for just cause as provided in subsection (5). The
 1519 district school board shall notify the employee in writing
 1520 whenever charges are made and may suspend such person without
 1521 pay. However, if the charges are not sustained, the employee
 1522 must shall be immediately reinstated and his or her back pay
 1523 must shall be paid. If the employee wishes to contest the
 1524 charges, he or she must, within 15 days after receipt of the
 1525 written notice, submit a written request for a hearing to the
 1526 district school board. A direct hearing must shall be conducted
 1527 by the district school board or a subcommittee thereof within 60
 1528 days after receipt of the written appeal. The hearing must shall
 1529 be conducted in accordance with ss. 120.569 and 120.57. A
 1530 majority vote of the membership of the district school board
 1531 shall be required to sustain the district school
 1532 superintendent's recommendation. The district school board's
 1533 determination is final as to the sufficiency or insufficiency of
 1534 the grounds for suspension without pay or dismissal. Any such
 1535 decision adverse to the employee may be appealed by the employee
 1536 pursuant to s. 120.68.

1537 Section 33. Paragraphs (a) and (b) of subsection (1) and

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1538 paragraph (a) of subsection (3) of section 1012.34, Florida
 1539 Statutes, are amended, and paragraph (c) is added to subsection
 1540 (7) of that section, to read:

1541 1012.34 Personnel evaluation procedures and criteria.—

1542 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

1543 (a) For the purpose of increasing student academic
 1544 performance by improving the quality of instructional,
 1545 administrative, and supervisory services in the public schools
 1546 of this the state, the district school superintendent shall
 1547 establish procedures for evaluating the performance of duties
 1548 and responsibilities of all instructional, administrative, and
 1549 supervisory personnel employed by the school district. The
 1550 procedures and requirements in subsection (3) must be
 1551 established by the district school superintendent and approved
 1552 by the district school board, must set the standards of service
 1553 to be offered to the public within the meaning of s. 447.209,
 1554 and are not subject to collective bargaining. The district
 1555 school superintendent shall provide instructional personnel the
 1556 opportunity to review their class rosters for accuracy and to
 1557 correct any mistakes. The district school superintendent shall
 1558 report accurate class rosters for the purpose of calculating
 1559 district and statewide student performance and annually report
 1560 the evaluation results of instructional personnel and school
 1561 administrators to the Department of Education in addition to the
 1562 information required under subsection (5).

1563 (b) The district school superintendent shall submit the
 1564 district instructional personnel and school administrator
 1565 evaluation systems to the department whenever the evaluation
 1566 systems in subsection (2) are amended department must approve

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1567 ~~each school district's instructional personnel and school~~
 1568 ~~administrator evaluation systems. The department shall monitor~~
 1569 ~~each district's implementation of its instructional personnel~~
 1570 ~~and school administrator evaluation systems for compliance with~~
 1571 ~~the requirements of this section.~~

1572 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
 1573 personnel and school administrator performance evaluations must
 1574 be based upon the performance of students assigned to their
 1575 classrooms or schools, as provided in this section. Pursuant to
 1576 this section, a school district's performance evaluation system
 1577 is not limited to basing unsatisfactory performance of
 1578 instructional personnel and school administrators solely upon
 1579 student performance, but may include other criteria to evaluate
 1580 instructional personnel and school administrators' performance,
 1581 or any combination of student performance and other criteria.
 1582 Evaluation procedures and criteria must comply with, but are not
 1583 limited to, the following:

1584 (a) A performance evaluation must be conducted for each
 1585 employee at least once a year, except that a classroom teacher,
 1586 as defined in s. 1012.01(2)(a), excluding substitute teachers,
 1587 who is newly hired by the district school board must be observed
 1588 and evaluated at least twice in the first year of teaching in
 1589 the school district. The performance evaluation must be based
 1590 upon sound educational principles and contemporary research in
 1591 effective educational practices. The evaluation criteria must
 1592 include:

1593 1. Performance of students.—At least one-half ~~one-third~~ of
 1594 a performance evaluation must be based upon data and indicators
 1595 of student performance, as determined by each school district.

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1596 ~~This portion of the evaluation must include growth or~~
 1597 ~~achievement data of the teacher's students or, for a school~~
 1598 ~~administrator, the students attending the school over the course~~
 1599 ~~of at least 3 years. If less than 3 years of data are available,~~
 1600 ~~the years for which data are available must be used. The~~
 1601 ~~proportion of growth or achievement data may be determined by~~
 1602 ~~instructional assignment.~~

1603 2. ~~Instructional practice.~~ ~~For instructional personnel, at~~
 1604 ~~least one-third of the performance evaluation must be based upon~~
 1605 ~~instructional practice. Evaluation criteria used when annually~~
 1606 ~~observing classroom teachers, as defined in s. 1012.01(2)(a),~~
 1607 ~~excluding substitute teachers, must include indicators based~~
 1608 ~~upon each of the Florida Educator Accomplished Practices adopted~~
 1609 ~~by the State Board of Education. For instructional personnel who~~
 1610 ~~are not classroom teachers, evaluation criteria must be based~~
 1611 ~~upon indicators of the Florida Educator Accomplished Practices~~
 1612 ~~and may include specific job expectations related to student~~
 1613 ~~support. This section does not preclude a school administrator~~
 1614 ~~from visiting and observing classroom teachers throughout the~~
 1615 ~~school year for purposes of providing mentorship, training,~~
 1616 ~~instructional feedback, or professional learning.~~

1617 3. ~~Instructional leadership.~~ ~~For school administrators, at~~
 1618 ~~least one-third of the performance evaluation must be based on~~
 1619 ~~instructional leadership. Evaluation criteria for instructional~~
 1620 ~~leadership must include indicators based upon each of the~~
 1621 ~~leadership standards adopted by the State Board of Education~~
 1622 ~~under s. 1012.986, including performance measures related to the~~
 1623 ~~effectiveness of classroom teachers in the school, the~~
 1624 ~~administrator's appropriate use of evaluation criteria and~~

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1625 ~~procedures, recruitment and retention of effective and highly~~
 1626 ~~effective classroom teachers, improvement in the percentage of~~
 1627 ~~instructional personnel evaluated at the highly effective or~~
 1628 ~~effective level, and other leadership practices that result in~~
 1629 ~~student learning growth. The system may include a means to give~~
 1630 ~~parents and instructional personnel an opportunity to provide~~
 1631 ~~input into the administrator's performance evaluation.~~

1632 4. Other indicators of performance.—For instructional
 1633 personnel and school administrators, the remainder of a
 1634 performance evaluation may include, but is not limited to,
 1635 professional and job responsibilities as recommended by the
 1636 State Board of Education or identified by the district school
 1637 board and, for instructional personnel, peer reviews,
 1638 objectively reliable survey information from students and
 1639 parents based on teaching practices that are consistently
 1640 associated with higher student achievement, and other valid and
 1641 reliable measures of instructional practice.

1642 (7) MEASUREMENT OF STUDENT PERFORMANCE.—

1643 (c) The measurement of student learning growth under
 1644 paragraph (a) may not be the sole determinant for any incentive
 1645 pay for instructional personnel or school administrators.

1646 Section 34. Paragraph (c) of subsection (1) of section
 1647 1012.39, Florida Statutes, is amended to read:

1648 1012.39 Employment of substitute teachers, teachers of
 1649 adult education, nondegreed teachers of career education, and
 1650 career specialists; students performing clinical field
 1651 experience.—

1652 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and
 1653 1012.57, or any other provision of law or rule to the contrary,

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1654 each district school board shall establish the minimal
 1655 qualifications for:

1656 (c) Part-time and full-time nondegreed teachers of career
 1657 programs. Qualifications must be established for nondegreed
 1658 teachers of career and technical education courses for program
 1659 clusters that are recognized in the state and are based
 1660 primarily on successful occupational experience rather than
 1661 academic training. The qualifications for such teachers must
 1662 require:

1663 1. The filing of a complete set of fingerprints in the same
 1664 manner as required by s. 1012.32. Faculty employed solely to
 1665 conduct postsecondary instruction may be exempted from this
 1666 requirement.

1667 2. Documentation of education and successful occupational
 1668 experience, including documentation of:

1669 a. A high school diploma or the equivalent.

1670 b. Completion of a minimum level, established by the
 1671 district school board, 3 years of full-time successful
 1672 occupational experience or the equivalent of part-time
 1673 experience in the teaching specialization area. The district
 1674 school board may establish alternative qualifications for
 1675 teachers with an industry certification in the career area in
 1676 which they teach.

1677 c. ~~For full-time teachers, completion of professional~~
 1678 ~~education training in teaching methods, course construction,~~
 1679 ~~lesson planning and evaluation, and teaching special needs~~
 1680 ~~students. This training may be completed through coursework from~~
 1681 ~~an accredited or approved institution or an approved district~~
 1682 ~~teacher education program, or the local school district~~

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1683 ~~inservice master plan.~~1684 ~~a.~~ Documentation of industry certification when state or
1685 national industry certifications are available and applicable.1686 Section 35. Paragraphs (a), (b), (d), and (e) of subsection
1687 (2) of section 1012.555, Florida Statutes, are amended to read:

1688 1012.555 Teacher Apprenticeship Program.—

1689 (2)(a) An individual must meet the following minimum
1690 eligibility requirements to participate in the apprenticeship
1691 program:1692 1. Be enrolled in or have completed ~~Have received~~ an
1693 associate degree program at ~~from~~ an accredited postsecondary
1694 institution.1695 2. Have earned a cumulative grade point average of 2.5 in
1696 that degree program.1697 3. Have successfully passed a background screening as
1698 provided in s. 1012.32.1699 4. Have received a temporary apprenticeship certificate as
1700 provided in s. 1012.56(7)(d).1701 (b) As a condition of participating in the program, an
1702 apprentice teacher must commit to spending at least the first 2
1703 years in the classroom of a mentor teacher using team teaching
1704 strategies identified in s. 1003.03(4)(b) ~~s. 1003.03(5)(b)~~ and
1705 fulfilling the on-the-job training component of the registered
1706 apprenticeship and its associated standards.1707 (d) An apprentice teacher must be appointed by the district
1708 school board or work in the district as an education
1709 paraprofessional and must be paid in accordance with s. 446.032
1710 and rules adopted by the State Board of Education.

1711 (e) An apprentice teacher may change schools or districts

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1712 after the first year of his or her apprenticeship if the
1713 receiving hiring school or district has agreed to fund the
1714 remaining year of the apprenticeship.1715 Section 36. Paragraph (g) of subsection (2), subsections
1716 (3) and (7), and paragraph (a) of subsection (8) of section
1717 1012.56, Florida Statutes, are amended to read:

1718 1012.56 Educator certification requirements.—

1719 (2) ELIGIBILITY CRITERIA.—To be eligible to seek
1720 certification, a person must:1721 (g) Demonstrate mastery of general knowledge pursuant to
1722 subsection (3), if the person serves as a classroom teacher as
1723 defined in s. 1012.01(2)(a).1724 (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of
1725 demonstrating mastery of general knowledge are:1726 (a) Achievement of passing scores on the general knowledge
1727 examination required by state board rule;1728 (b) Documentation of a valid professional standard teaching
1729 certificate issued by another state;1730 (c) Documentation of a valid certificate issued by the
1731 National Board for Professional Teaching Standards or a national
1732 educator credentialing board approved by the State Board of
1733 Education;1734 (d) Documentation of two semesters of successful, full-time
1735 or part-time teaching in a Florida College System institution,
1736 state university, or private college or university that awards
1737 an associate or higher degree and is an accredited institution
1738 or an institution of higher education identified by the
1739 Department of Education as having a quality program;

1740 (e) Achievement of passing scores, identified in state

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1741 board rule, on national or international examinations that test
 1742 comparable content and relevant standards in verbal, analytical
 1743 writing, and quantitative reasoning skills, including, but not
 1744 limited to, the verbal, analytical writing, and quantitative
 1745 reasoning portions of the Graduate Record Examination and the
 1746 SAT, ACT, and Classic Learning Test. Passing scores identified
 1747 in state board rule must be at approximately the same level of
 1748 rigor as is required to pass the general knowledge examinations;
 1749 ~~or~~

1750 (f) Documentation of receipt of a master's or higher degree
 1751 from an accredited postsecondary educational institution that
 1752 the Department of Education has identified as having a quality
 1753 program resulting in a baccalaureate degree or higher.

1754
 1755 A school district that employs an individual who does not
 1756 achieve passing scores on any subtest of the general knowledge
 1757 examination must provide information regarding the availability
 1758 of state-level and district-level supports and instruction to
 1759 assist him or her in achieving a passing score. Such information
 1760 must include, but need not be limited to, state-level test
 1761 information guides, school district test preparation resources,
 1762 and preparation courses offered by state universities and
 1763 Florida College System institutions. The requirement of mastery
 1764 of general knowledge shall be waived for an individual who has
 1765 been provided 3 years of supports and instruction and who has
 1766 been rated effective or highly effective under s. 1012.34 for
 1767 each of the last 3 years.

1768 (7) TYPES AND TERMS OF CERTIFICATION.—

1769 (a) The Department of Education shall issue a professional

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1770 certificate for a period not to exceed 5 years to any applicant
 1771 who fulfills one of the following:
 1772 1. Meets all the applicable requirements outlined in
 1773 subsection (2).
 1774 2. For a professional certificate covering grades 6 through
 1775 12:
 1776 a. Meets the applicable requirements of paragraphs (2)(a)-
 1777 (h).
 1778 b. Holds a master's or higher degree in the area of
 1779 science, technology, engineering, or mathematics.
 1780 c. Teaches a high school course in the subject of the
 1781 advanced degree.
 1782 d. Is rated highly effective as determined by the teacher's
 1783 performance evaluation under s. 1012.34, based in part on
 1784 student performance as measured by a statewide, standardized
 1785 assessment or an Advanced Placement, Advanced International
 1786 Certificate of Education, or International Baccalaureate
 1787 examination.
 1788 e. Achieves a passing score on the Florida professional
 1789 education competency examination required by state board rule.
 1790 3. Meets the applicable requirements of paragraphs (2)(a)-
 1791 (h) and completes a professional learning certification program
 1792 approved by the department pursuant to paragraph (8)(c) or an
 1793 educator preparation institute approved by the department
 1794 pursuant to s. 1004.85. An applicant who completes one of these
 1795 programs and is rated highly effective as determined by his or
 1796 her performance evaluation under s. 1012.34 is not required to
 1797 take or achieve a passing score on the professional education
 1798 competency examination in order to be awarded a professional

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1799 certificate.

1800 (b) The department shall issue a temporary certificate to

1801 any applicant who:

1802 1. Completes the requirements outlined in paragraphs

1803 (2) (a)-(f) and completes the subject area content requirements

1804 specified in state board rule or demonstrates mastery of subject

1805 area knowledge pursuant to subsection (5) and holds an

1806 accredited degree or a degree approved by the Department of

1807 Education at the level required for the subject area

1808 specialization in state board rule;

1809 2. For a subject area specialization for which the state

1810 board otherwise requires a bachelor's degree, documents 48

1811 months of active-duty military service with an honorable

1812 discharge or a medical separation; completes the requirements

1813 outlined in paragraphs (2) (a), (b), and (d)-(f); completes the

1814 subject area content requirements specified in state board rule

1815 or demonstrates mastery of subject area knowledge pursuant to

1816 subsection (5); and documents completion of 60 college credits

1817 with a minimum cumulative grade point average of 2.5 on a 4.0

1818 scale, as provided by one or more accredited institutions of

1819 higher learning or a nonaccredited institution of higher

1820 learning identified by the Department of Education as having a

1821 quality program resulting in a bachelor's degree or higher; or

1822 3. Is enrolled in a state-approved teacher preparation

1823 program under s. 1004.04; is actively completing the required

1824 program field experience or internship at a public school;

1825 completes the requirements outlined in paragraphs (2) (a), (b),

1826 and (d)-(f); completes the subject area content requirements

1827 specified in state board rule or demonstrates mastery of subject

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1828 area knowledge pursuant to subsection (5); and documents

1829 completion of 60 college credits with a minimum cumulative grade

1830 point average of 2.5 on a 4.0 scale, as provided by one or more

1831 accredited institutions of higher learning or a nonaccredited

1832 institution of higher learning identified by the Department of

1833 Education as having a quality program resulting in a bachelor's

1834 degree or higher.

1835 (c) The department shall issue one nonrenewable 2-year

1836 temporary certificate and one nonrenewable 5-year professional

1837 certificate to a qualified applicant who holds a bachelor's

1838 degree in the area of speech-language impairment to allow for

1839 completion of a master's degree program in speech-language

1840 impairment.

1841 (d) The department shall issue a temporary apprenticeship

1842 certificate to any applicant who:

1843 1. Meets the requirements of paragraphs (2) (a), (b), and

1844 (d)-(f).

1845 2. Completes the subject area content requirements

1846 specified in state board rule or demonstrates mastery of subject

1847 area knowledge as provided in subsection (5).

1848 (e) A person who is issued a temporary certificate under

1849 paragraph (b) must be assigned a teacher mentor for a minimum of

1850 2 school years after commencing employment. Each teacher mentor

1851 selected by the school district, charter school, or charter

1852 management organization must:

1853 1. Hold a valid professional certificate issued pursuant to

1854 this section;

1855 2. Have earned at least 3 years of teaching experience in

1856 prekindergarten through grade 12; and

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1857 3. Have earned an effective or highly effective rating on
 1858 the prior year's performance evaluation under s. 1012.34.
 1859 (f)1. A temporary certificate is valid for 5 school fiscal
 1860 years, is limited to a one-time issuance, and is nonrenewable.
 1861 2. A temporary apprenticeship certificate issued under
 1862 paragraph (d) is valid for 5 school years, may be issued only
 1863 once, and is nonrenewable.
 1864 (g) A certificateholder may request that her or his
 1865 certificate be placed in an inactive status. A certificate that
 1866 has been inactive may be reactivated upon application to the
 1867 department. The department shall prescribe, by rule,
 1868 professional learning requirements as a condition of
 1869 reactivating a certificate that has been inactive for more than
 1870 1 year.
 1871 (h) A school district or a regional education consortium
 1872 may issue temporary certificates, based on the requirements in
 1873 paragraph (b). School districts and regional education consortia
 1874 must report the number of such certificates issued, and any
 1875 additional information to the department, based on reporting
 1876 requirements adopted by the State Board of Education.
 1877
 1878 At least 1 year before an individual's department-issued
 1879 temporary certificate is set to expire, the department shall
 1880 electronically notify the individual of the date on which his or
 1881 her certificate will expire and provide a list of each method by
 1882 which the qualifications for a professional certificate can be
 1883 completed.
 1884 (8) PROFESSIONAL LEARNING CERTIFICATION PROGRAM.—
 1885 (a) The Department of Education shall develop and each

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1886 school district, charter school, and charter management
 1887 organization may provide a cohesive competency-based
 1888 professional learning certification program by which
 1889 instructional staff may satisfy the mastery of professional
 1890 preparation and education competence requirements specified in
 1891 subsection (6) and rules of the State Board of Education.
 1892 Participants must hold a state-issued temporary certificate. A
 1893 school district, charter school, or charter management
 1894 organization that implements the program shall provide a
 1895 competency-based certification program developed by the
 1896 Department of Education or developed by the district, charter
 1897 school, or charter management organization and approved by the
 1898 Department of Education. These entities may collaborate with
 1899 other supporting agencies or educational entities for
 1900 implementation. The program shall include the following:
 1901 1. A teacher mentorship and induction component.
 1902 a. Each individual selected by the district, charter
 1903 school, or charter management organization as a mentor:
 1904 (I) Must hold a valid professional certificate issued
 1905 pursuant to this section;
 1906 (II) Must have earned at least 3 years of teaching
 1907 experience in prekindergarten through grade 12;
 1908 (III) Must have completed training in clinical supervision
 1909 and participate in ongoing mentor training provided through the
 1910 coordinated system of professional learning under s. 1012.98(4);
 1911 (IV) Must have earned an effective or highly effective
 1912 rating on the prior year's performance evaluation; and
 1913 (V) May be a peer evaluator under the district's evaluation
 1914 system approved under s. 1012.34.

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1915 b. The teacher mentorship and induction component must, at
 1916 a minimum, provide routine opportunities for mentoring and
 1917 induction activities, including ongoing professional learning as
 1918 described in s. 1012.98 targeted to a teacher's needs,
 1919 opportunities for a teacher to observe other teachers, co-
 1920 teaching experiences, and reflection and follow-up ~~followup~~
 1921 discussions. Professional learning must meet the criteria
 1922 established in s. 1012.98(3). Mentorship and induction
 1923 activities must be provided for an applicant's first year in the
 1924 program and may be provided until the applicant attains his or
 1925 her professional certificate in accordance with this section.

1926 2. An assessment of teaching performance aligned to the
 1927 district's, charter school's, or charter management
 1928 organization's system for personnel evaluation under s. 1012.34
 1929 which provides for:

1930 a. An initial evaluation of each educator's competencies to
 1931 determine an appropriate individualized professional learning
 1932 plan.

1933 b. A summative evaluation to assure successful completion
 1934 of the program.

1935 3. Professional education preparation content knowledge,
 1936 which must be included in the mentoring and induction activities
 1937 under subparagraph 1., that includes, but is not limited to, the
 1938 following:

1939 a. The state academic standards provided under s. 1003.41,
 1940 including scientifically researched and evidence-based reading
 1941 instructional strategies grounded in the science of reading,
 1942 content literacy, and mathematical practices, for each subject
 1943 identified on the temporary certificate. Reading instructional

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1944 strategies for foundational skills shall include phonics
 1945 instruction for decoding and encoding as the primary
 1946 instructional strategy for word reading. Instructional
 1947 strategies may not employ the three-cueing system model of
 1948 reading or visual memory as a basis for teaching word reading.
 1949 Instructional strategies may include visual information and
 1950 strategies which improve background and experiential knowledge,
 1951 add context, and increase oral language and vocabulary to
 1952 support comprehension, but may not be used to teach word
 1953 reading.

1954 b. The educator-accomplished practices approved by the
 1955 state board.

1956 4. Required achievement of passing scores on the subject
 1957 area and professional education competency examination required
 1958 by State Board of Education rule. Mastery of general knowledge
 1959 must be demonstrated as described in subsection (3).

1960 5. Beginning with candidates entering a program in the
 1961 2022-2023 school year, a candidate for certification in a
 1962 coverage area identified pursuant to s. 1012.585(3)(g) ~~or~~
 1963 ~~1012.585(3)(f)~~ must successfully complete all competencies for a
 1964 reading endorsement, including completion of the endorsement
 1965 practicum.

1966 Section 37. Paragraph (a) of subsection (2), subsection
 1967 (3), and paragraph (b) of subsection (5) of section 1012.585,
 1968 Florida Statutes, are amended to read:

1969 1012.585 Process for renewal of professional certificates.—

1970 (2)(a) All professional certificates, except a nonrenewable
 1971 professional certificate, are ~~shall be~~ renewable for successive
 1972 periods not to exceed 10 ~~5~~ years after the date of submission of

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1973 documentation of completion of the requirements for renewal
 1974 provided in subsection (3). Only one renewal may be granted
 1975 during each 5-year or 10-year validity period of a professional
 1976 certificate.

1977 1. An applicant who is rated highly effective, pursuant to
 1978 s. 1012.34, in the first 4 years of the 5-year validity period
 1979 of his or her professional certificate is eligible for a
 1980 professional certificate valid for 10 years. An applicant must
 1981 be issued at least one 5-year professional certificate to be
 1982 eligible for a 10-year professional certificate. An applicant
 1983 who does not meet the requirement of this subparagraph is
 1984 eligible only to renew his or her 5-year professional
 1985 certificate.

1986 2. An applicant who is rated effective or highly effective,
 1987 pursuant to s. 1012.34, for the first 9 years of the 10-year
 1988 validity period of his or her professional certificate is
 1989 eligible to renew a professional certificate valid for 10 years.
 1990 An applicant issued a 10-year professional certificate who does
 1991 not meet the requirement of this subparagraph is eligible only
 1992 for renewal of a professional certificate valid for 5 years.

1993 (3) For the renewal of a professional certificate, the
 1994 following requirements must be met:

1995 (a) The applicant must:

1996 1. Earn a minimum of 6 college credits or 120 inservice
 1997 points or a combination thereof for a certificate valid for 5
 1998 years. The district school board may reduce the requirements by
 1999 1 college credit or 20 inservice points for an applicant rated
 2000 highly effective, pursuant to s. 1012.34, in at least 3 of the 5
 2001 years of the 5-year validity period of his or her initial

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2002 professional certificate.

2003 2. Earn a minimum of 9 college credits or 180 inservice
 2004 points or a combination thereof for a professional certificate
 2005 valid for 10 years. A minimum of 5 college credits or 100
 2006 inservice points or a combination thereof must be earned within
 2007 the first 5 years of a professional certificate valid for 10
 2008 years.

2009 (b) For each area of specialization to be retained on a
 2010 certificate, the applicant must earn at least 3 of the required
 2011 credit hours or equivalent inservice points in the
 2012 specialization area. Education in "clinical educator" training
 2013 pursuant to s. 1004.04(5)(b); participation in mentorship and
 2014 induction activities, including as a mentor, pursuant to s.
 2015 1012.56(8)(a); and credits or points that provide training in
 2016 the area of scientifically researched, knowledge-based reading
 2017 literacy grounded in the science of reading, including explicit,
 2018 systematic, and sequential approaches to reading instruction,
 2019 developing phonemic awareness, and implementing multisensory
 2020 intervention strategies, and computational skills acquisition,
 2021 exceptional student education, normal child development, and the
 2022 disorders of development may be applied toward any
 2023 specialization area. Credits or points that provide training in
 2024 the areas of drug abuse, child abuse and neglect, strategies in
 2025 teaching students having limited proficiency in English, or
 2026 dropout prevention, or training in areas identified in the
 2027 educational goals and performance standards adopted pursuant to
 2028 ss. 1000.03(5) and 1008.345 may be applied toward any
 2029 specialization area, except specialization areas identified by
 2030 State Board of Education rule that include reading instruction

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2031 or intervention for any students in kindergarten through grade
 2032 6. Each district school board shall include in its inservice
 2033 master plan the ability for teachers to receive inservice points
 2034 for supporting students in extracurricular career and technical
 2035 education activities, such as career and technical student
 2036 organization activities outside of regular school hours and
 2037 training related to supervising students participating in a
 2038 career and technical student organization. Credits or points
 2039 earned through approved summer institutes may be applied toward
 2040 the fulfillment of these requirements. Inservice points may also
 2041 be earned by participation in professional growth components
 2042 approved by the State Board of Education and specified pursuant
 2043 to s. 1012.98 in the district's approved master plan for
 2044 inservice educational training; however, such points may not be
 2045 used to satisfy the specialization requirements of this
 2046 paragraph.

2047 (c)~~(b)~~ In lieu of college course credit or inservice
 2048 points, the applicant may renew a subject area specialization by
 2049 passage of a state board approved Florida-developed subject area
 2050 examination or, if a Florida subject area examination has not
 2051 been developed, a standardized examination specified in state
 2052 board rule.

2053 (d)~~(e)~~ If an applicant wishes to retain more than two
 2054 specialization areas on the certificate, the applicant must
 2055 ~~shall~~ be permitted two successive validity periods for renewal
 2056 of all specialization areas, but must earn no fewer than 6
 2057 college course credit hours or the equivalent inservice points
 2058 in any one validity period.

2059 (e)~~(d)~~ The State Board of Education shall adopt rules for

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2060 the expanded use of training for renewal of the professional
 2061 certificate for educators who are required to complete training
 2062 in teaching students of limited English proficiency or students
 2063 with disabilities and training in the teaching of reading as
 2064 follows:

2065 1. A teacher who holds a professional certificate may use
 2066 college credits or inservice points earned through training in
 2067 teaching students of limited English proficiency or students
 2068 with disabilities and training in the teaching of reading in
 2069 excess of 6 semester hours during one certificate-validity
 2070 period toward renewal of the professional certificate during the
 2071 subsequent validity periods.

2072 2. A teacher who holds a temporary certificate may use
 2073 college credits or inservice points earned through training in
 2074 teaching students of limited English proficiency or students
 2075 with disabilities and training in the teaching of reading toward
 2076 renewal of the teacher's first professional certificate. Such
 2077 training must not have been included within the degree program,
 2078 and the teacher's temporary and professional certificates must
 2079 be issued for consecutive school years.

2080 (f)~~(e)~~ Beginning July 1, 2014, an applicant for renewal of
 2081 a professional certificate must earn a minimum of one college
 2082 credit or the equivalent inservice points in the area of
 2083 instruction for teaching students with disabilities. The
 2084 requirement in this paragraph may not add to the total hours
 2085 required by the department for continuing education or inservice
 2086 training.

2087 (g)~~(f)~~ An applicant for renewal of a professional
 2088 certificate in any area of certification identified by State

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2089 Board of Education rule that includes reading instruction or
 2090 intervention for any students in kindergarten through grade 6,
 2091 with a beginning validity date of July 1, 2020, or thereafter,
 2092 must earn a minimum of 2 college credits or the equivalent
 2093 inservice points in evidence-based instruction and interventions
 2094 grounded in the science of reading specifically designed for
 2095 students with characteristics of dyslexia, including the use of
 2096 explicit, systematic, and sequential approaches to reading
 2097 instruction, developing phonological and phonemic awareness,
 2098 decoding, and implementing multisensory intervention strategies.
 2099 Such training must be provided by teacher preparation programs
 2100 under s. 1004.04 or s. 1004.85 or approved school district
 2101 professional learning systems under s. 1012.98. The requirements
 2102 in this paragraph may not add to the total hours required by the
 2103 department for continuing education or inservice training.

2104 ~~(h)(g)~~ An applicant for renewal of a professional
 2105 certificate in educational leadership from a Level I program
 2106 under s. 1012.562(2) or Level II program under s. 1012.562(3),
 2107 with a beginning validity date of July 1, 2025, or thereafter,
 2108 must earn a minimum of 1 college credit or 20 inservice points
 2109 in Florida's educational leadership standards, as established in
 2110 rule by the State Board of Education. The requirement in this
 2111 paragraph may not add to the total hours required by the
 2112 department for continuing education or inservice training.

2113 ~~(i)(h)~~ A teacher may earn inservice points only once during
 2114 each 5-year validity period for any mandatory training topic
 2115 that is not linked to student learning or professional growth.

2116 (5) The State Board of Education shall adopt rules to allow
 2117 the reinstatement of expired professional certificates. The

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2118 department may reinstate an expired professional certificate if
 2119 the certificateholder:

2120 (b) Documents completion of 6 college credits during the 5
 2121 years immediately preceding reinstatement of the expired
 2122 certificate, completion of 120 inservice points, or a
 2123 combination thereof, in an area specified in paragraph (3)(b)
 2124 ~~(3)(a)~~ to include the credit required under paragraph (3)(f)
 2125 ~~(3)(e)~~.

2126
 2127 The requirements of this subsection may not be satisfied by
 2128 subject area examinations or college credits completed for
 2129 issuance of the certificate that has expired.

2130 Section 38. Section 1013.19, Florida Statutes, is amended
 2131 to read:

2132 1013.19 Purchase, conveyance, or encumbrance of property
 2133 interests above surface of land; joint-occupancy structures.—For
 2134 the purpose of implementing jointly financed construction
 2135 project agreements, or for the construction of combined
 2136 occupancy structures, any board may purchase, own, convey, sell,
 2137 lease, or encumber airspace or any other interests in property
 2138 above the surface of the land, provided the lease of airspace
 2139 for nonpublic use is for such reasonable rent, length of term,
 2140 and conditions as the board in its discretion may determine. All
 2141 proceeds from such sale or lease shall be used by a the board of
 2142 trustees for a Florida College System institution or state
 2143 university or boards receiving the proceeds solely for fixed
 2144 capital outlay purposes. These purposes may include the
 2145 renovation or remodeling of existing facilities owned by the
 2146 board or the construction of new facilities; however, for a

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2147 Florida College System institution board or university board,
 2148 such new facility must be authorized by the Legislature. It is
 2149 declared that the use of such rental by the board for public
 2150 purposes in accordance with its statutory authority is a public
 2151 use. Airspace or any other interest in property held by the
 2152 Board of Trustees of the Internal Improvement Trust Fund or the
 2153 State Board of Education may not be divested or conveyed without
 2154 approval of the respective board. Any building, including any
 2155 building or facility component that is common to both nonpublic
 2156 and educational portions thereof, constructed in airspace that
 2157 is sold or leased for nonpublic use pursuant to this section is
 2158 subject to all applicable state, county, and municipal
 2159 regulations pertaining to land use, zoning, construction of
 2160 buildings, fire protection, health, and safety to the same
 2161 extent and in the same manner as such regulations would be
 2162 applicable to the construction of a building for nonpublic use
 2163 on the appurtenant land beneath the subject airspace. Any
 2164 educational facility constructed or leased as a part of a joint-
 2165 occupancy facility is subject to all rules and requirements of
 2166 the respective boards or departments having jurisdiction over
 2167 educational facilities. Any contract executed by a university
 2168 board of trustees pursuant to this section is subject to the
 2169 provisions of s. 1010.62.

2170 Section 39. Section 1013.35, Florida Statutes, is amended
 2171 to read:

2172 1013.35 School district educational facilities plan;
 2173 definitions; preparation, adoption, and amendment; long-term
 2174 work programs.-

2175 (1) ~~DEFINITIONS. As used in this section, the term:~~

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2176 ~~(a) "Adopted educational facilities plan" means the~~
 2177 ~~comprehensive planning document that is adopted annually by the~~
 2178 ~~district school board as provided in subsection (2) and that~~
 2179 ~~contains the educational plant survey.~~

2180 ~~(b) "District facilities work program" means the 5-year~~
 2181 ~~listing of capital outlay projects adopted by the district~~
 2182 ~~school board as provided in subparagraph (2)(a)2. and paragraph~~
 2183 ~~(2)(b) as part of the district educational facilities plan,~~
 2184 ~~which is required in order to:~~

2185 1. ~~Properly maintain the educational plant and ancillary~~
 2186 ~~facilities of the district.~~

2187 2. ~~Provide an adequate number of satisfactory student~~
 2188 ~~stations for the projected student enrollment of the district in~~
 2189 ~~K-12 programs.~~

2190 ~~(c) "Tentative educational facilities plan" means the~~
 2191 ~~comprehensive planning document prepared annually by the~~
 2192 ~~district school board and submitted to the Office of Educational~~
 2193 ~~Facilities and the affected general-purpose local governments.~~

2194 ~~(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL~~
 2195 ~~FACILITIES PLAN.-~~

2196 ~~(a) Annually, before ~~prior~~ to the adoption of the district~~
 2197 ~~school budget, each district school board shall prepare a~~
 2198 ~~tentative district educational facilities plan that includes~~
 2199 ~~long-range planning for facilities needs ~~over 5-year, 10-year,~~~~
 2200 ~~and 20-year periods. The plan must be developed in coordination~~
 2201 ~~with the general-purpose local governments and be consistent~~
 2202 ~~with the local government comprehensive plans. The school~~
 2203 ~~board's plan for provision of new schools must meet the needs of~~
 2204 ~~all growing communities in the district, ranging from small~~

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2205 rural communities to large urban cities. The plan must include:

2206 ~~1. Projected student populations apportioned geographically~~
 2207 ~~at the local level. The projections must be based on information~~
 2208 ~~produced by the demographic, revenue, and education estimating~~
 2209 ~~conferences pursuant to s. 216.136, where available, as modified~~
 2210 ~~by the district based on development data and agreement with the~~
 2211 ~~local governments and the Office of Educational Facilities. The~~
 2212 ~~projections must be apportioned geographically with assistance~~
 2213 ~~from the local governments using local development trend data~~
 2214 ~~and the school district student enrollment data.~~

2215 ~~2. An inventory of existing school facilities. Any~~
 2216 ~~anticipated expansions or closures of existing school sites over~~
 2217 ~~the 5-year, 10-year, and 20-year periods must be identified. The~~
 2218 ~~inventory must include an assessment of areas proximate to~~
 2219 ~~existing schools and identification of the need for improvements~~
 2220 ~~to infrastructure, safety, including safe access routes, and~~
 2221 ~~conditions in the community. The plan must also provide a~~
 2222 ~~listing of major repairs and renovation projects anticipated~~
 2223 ~~over the period of the plan.~~

2224 ~~3. Projections of facilities space needs, which may not~~
 2225 ~~exceed the norm space and occupant design criteria established~~
 2226 ~~in the State Requirements for Educational Facilities.~~

2227 ~~4. Information on leased, loaned, and donated space and~~
 2228 ~~relocatables used for conducting the district's instructional~~
 2229 ~~programs.~~

2230 ~~5. The general location of public schools proposed to be~~
 2231 ~~constructed over the 5-year, 10-year, and 20-year time periods,~~
 2232 ~~including a listing of the proposed schools' site acreage needs~~
 2233 ~~and anticipated capacity and maps showing the general locations.~~

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2234 The school board's identification of general locations of future
 2235 school sites must be based on the school siting requirements of
 2236 s. 163.3177(6) (a) and policies in the comprehensive plan which
 2237 ~~provide guidance for appropriate locations for school sites.~~

2238 ~~6. The identification of options deemed reasonable and~~
 2239 ~~approved by the school board which reduce the need for~~
 2240 ~~additional permanent student stations. Such options may include,~~
 2241 ~~but need not be limited to:~~

- 2242 ~~a. Acceptable capacity;~~
- 2243 ~~b. Redistricting;~~
- 2244 ~~c. Busing;~~
- 2245 ~~d. Year round schools;~~
- 2246 ~~e. Charter schools;~~
- 2247 ~~f. Magnet schools; and~~
- 2248 ~~g. Public-private partnerships.~~

2249 ~~7. The criteria and method, jointly determined by the local~~
 2250 ~~government and the school board, for determining the impact of~~
 2251 ~~proposed development to public school capacity.~~

2252 ~~(b) The plan must also include a financially feasible~~
 2253 ~~district facilities work program for a 5-year period. The work~~
 2254 ~~program must include:~~

2255 ~~1. A schedule of major repair and renovation projects~~
 2256 ~~necessary to maintain the educational facilities and ancillary~~
 2257 ~~facilities of the district.~~

2258 ~~2. A schedule of capital outlay projects necessary to~~
 2259 ~~ensure the availability of satisfactory student stations for the~~
 2260 ~~projected student enrollment in K-12 programs. This schedule~~
 2261 ~~shall consider:~~

- 2262 ~~a. The locations, capacities, and planned utilization rates~~

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2263 of current educational facilities of the district. The capacity
 2264 of existing satisfactory facilities, as reported in the Florida
 2265 Inventory of School Houses must be compared to the capital
 2266 outlay full-time equivalent student enrollment as determined by
 2267 the department, including all enrollment used in the calculation
 2268 of the distribution formula in s. 1013.64.

2269 b. The proposed locations of planned facilities, whether
 2270 those locations are consistent with the comprehensive plans of
 2271 all affected local governments, and recommendations for
 2272 infrastructure and other improvements to land adjacent to
 2273 existing facilities. The provisions of ss. 1013.33(6), (7), and
 2274 (8) and 1013.36 must be addressed for new facilities planned
 2275 within the first 3 years of the work plan, as appropriate.

2276 e. Plans for the use and location of relocatable
 2277 facilities, leased facilities, and charter school facilities.

2278 d. Plans for multitrack scheduling, grade level
 2279 organization, block scheduling, or other alternatives that
 2280 reduce the need for additional permanent student stations.

2281 e. Information concerning average class size and
 2282 utilization rate by grade level within the district which will
 2283 result if the tentative district facilities work program is
 2284 fully implemented.

2285 f. The number and percentage of district students planned
 2286 to be educated in relocatable facilities during each year of the
 2287 tentative district facilities work program. For determining
 2288 future needs, student capacity may not be assigned to any
 2289 relocatable classroom that is scheduled for elimination or
 2290 replacement with a permanent educational facility in the current
 2291 year of the adopted district educational facilities plan and in

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2292 the district facilities work program adopted under this section.
 2293 Those relocatable classrooms clearly identified and scheduled
 2294 for replacement in a school board-adopted, financially feasible,
 2295 5-year district facilities work program shall be counted at zero
 2296 capacity at the time the work program is adopted and approved by
 2297 the school board. However, if the district facilities work
 2298 program is changed and the relocatable classrooms are not
 2299 replaced as scheduled in the work program, the classrooms must
 2300 be reentered into the system and be counted at actual capacity.
 2301 Relocatable classrooms may not be perpetually added to the work
 2302 program or continually extended for purposes of circumventing
 2303 this section. All relocatable classrooms not identified and
 2304 scheduled for replacement, including those owned, lease-
 2305 purchased, or leased by the school district, must be counted at
 2306 actual student capacity. The district educational facilities
 2307 plan must identify the number of relocatable student stations
 2308 scheduled for replacement during the 5-year survey period and
 2309 the total dollar amount needed for that replacement.

2310 g. Plans for the closure of any school, including plans for
 2311 disposition of the facility or usage of facility space, and
 2312 anticipated revenues.

2313 h. Projects for which capital outlay and debt service funds
 2314 accruing under s. 9(d), Art. XII of the State Constitution are
 2315 to be used shall be identified separately in priority order on a
 2316 project priority list within the district facilities work
 2317 program.

2318 3. The projected cost for each project identified in the
 2319 district facilities work program. For proposed projects for new
 2320 student stations, a schedule shall be prepared comparing the

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2321 ~~planned cost and square footage for each new student station, by~~
 2322 ~~elementary, middle, and high school levels, to the low, average,~~
 2323 ~~and high cost of facilities constructed throughout the state~~
 2324 ~~during the most recent fiscal year for which data is available~~
 2325 ~~from the Department of Education.~~

2326 ~~4. A schedule of estimated capital outlay revenues from~~
 2327 ~~each currently approved source which is estimated to be~~
 2328 ~~available for expenditure on the projects included in the~~
 2329 ~~district facilities work program.~~

2330 ~~5. A schedule indicating which projects included in the~~
 2331 ~~district facilities work program will be funded from current~~
 2332 ~~revenues projected in subparagraph 4.~~

2333 ~~6. A schedule of options for the generation of additional~~
 2334 ~~revenues by the district for expenditure on projects identified~~
 2335 ~~in the district facilities work program which are not funded~~
 2336 ~~under subparagraph 5. Additional anticipated revenues may~~
 2337 ~~include Classrooms First funds.~~

2338 ~~(c) To the extent available, the tentative district~~
 2339 ~~educational facilities plan shall be based on information~~
 2340 ~~produced by the demographic, revenue, and education estimating~~
 2341 ~~conferences pursuant to s. 216.136.~~

2342 ~~(2)(d) Provision must shall be made for public comment~~
 2343 ~~concerning the tentative district educational facilities plan.~~

2344 ~~(e) The district school board shall coordinate with each~~
 2345 ~~affected local government to ensure consistency between the~~
 2346 ~~tentative district educational facilities plan and the local~~
 2347 ~~government comprehensive plans of the affected local governments~~
 2348 ~~during the development of the tentative district educational~~
 2349 ~~facilities plan.~~

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2350 ~~(3)(f)~~ Not less than once every 5 years, the district
 2351 school board shall have an audit conducted of the district's
 2352 educational planning and construction activities. An operational
 2353 audit conducted by the Auditor General pursuant to s. 11.45
 2354 satisfies this requirement.

2355 ~~(4)(3) SUBMITTAL OF TENTATIVE DISTRICT EDUCATIONAL~~
 2356 ~~FACILITIES PLAN TO LOCAL GOVERNMENT.~~ The district school board
 2357 shall submit a copy of its tentative district educational
 2358 facilities plan to all affected local governments before prior
 2359 ~~to~~ adoption by the board. The affected local governments may
 2360 ~~shall~~ review the tentative district educational facilities plan
 2361 and comment to the district school board on the consistency of
 2362 the plan with the local comprehensive plan, whether a
 2363 comprehensive plan amendment will be necessary for any proposed
 2364 educational facility, and whether the local government supports
 2365 a necessary comprehensive plan amendment. If the local
 2366 government does not support a comprehensive plan amendment for a
 2367 proposed educational facility, the matter must shall be resolved
 2368 pursuant to the interlocal agreement when required by ss.
 2369 163.3177(6)(h), 163.31777, and 1013.33(2). The process for the
 2370 submittal and review must shall be detailed in the interlocal
 2371 agreement when required pursuant to ss. 163.3177(6)(h),
 2372 163.31777, and 1013.33(2).

2373 ~~(5)(4) ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN.~~
 2374 Annually, the district school board shall consider and adopt the
 2375 tentative district educational facilities plan ~~completed~~
 2376 ~~pursuant to subsection (2)~~. Upon giving proper notice to the
 2377 public and local governments and opportunity for public comment,
 2378 the district school board may amend the plan to revise the

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2379 priority of projects, to add or delete projects, to reflect the
 2380 impact of change orders, or to reflect the approval of new
 2381 revenue sources which may become available. The adopted district
 2382 educational facilities plan ~~must shall~~:

2383 (a) Be a complete, balanced, and financially feasible
 2384 capital outlay financial plan for the district.

2385 (b) Set forth the proposed commitments and planned
 2386 expenditures of the district to address the educational
 2387 facilities needs of its students and to adequately provide for
 2388 the maintenance of the educational plant and ancillary
 2389 facilities, including safe access ways from neighborhoods to
 2390 schools.

2391 ~~(6)(5) EXECUTION OF ADOPTED DISTRICT EDUCATIONAL FACILITIES~~
 2392 ~~PLAN.~~ The first year of the adopted district educational
 2393 facilities plan constitutes ~~shall constitute~~ the capital outlay
 2394 budget required in s. 1013.61. ~~The adopted district educational~~
 2395 ~~facilities plan shall include the information required in~~
 2396 ~~subparagraphs (2)(b)1., 2., and 3., based upon projects actually~~
 2397 ~~funded in the plan.~~

2398 Section 40. Subsections (3) and (4) of section 1013.41,
 2399 Florida Statutes, are amended to read:

2400 1013.41 SMART schools; Classrooms First; legislative
 2401 purpose.—

2402 (3) SCHOOL DISTRICT EDUCATIONAL FACILITIES PLAN.—It is the
 2403 purpose of the Legislature to create s. 1013.35, requiring each
 2404 school district annually to adopt an educational facilities plan
 2405 that provides an integrated long-range facilities plan—
 2406 ~~including the survey of projected needs and the 5-year work~~
 2407 ~~program.~~ The purpose of the educational facilities plan is to

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2408 keep the district school board, local governments, and the
 2409 public fully informed as to whether the district is using sound
 2410 policies and practices that meet the essential needs of students
 2411 and that warrant public confidence in district operations. The
 2412 educational facilities plan will be monitored by the Office of
 2413 Educational Facilities, which will also apply performance
 2414 standards pursuant to s. 1013.04.

2415 (4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of
 2416 the Legislature to require the Office of Educational Facilities
 2417 to assist school districts in building SMART schools utilizing
 2418 functional and frugal practices. The Office of Educational
 2419 Facilities shall ~~must~~ review district facilities ~~work programs~~
 2420 ~~and~~ projects and identify opportunities to maximize design and
 2421 construction savings; ~~develop school district facilities work~~
 2422 ~~program performance standards;~~ and provide for review and
 2423 recommendations to the Governor, the Legislature, and the State
 2424 Board of Education.

2425 Section 41. Subsection (4) of section 1013.45, Florida
 2426 Statutes, is amended to read:

2427 1013.45 Educational facilities contracting and construction
 2428 techniques for school districts and Florida College System
 2429 institutions.—

2430 (4) Except as otherwise provided in this section and s.
 2431 481.229, the services of a registered architect must be used by
 2432 Florida College System institution and state university boards
 2433 of trustees for the development of plans for the erection,
 2434 enlargement, or alteration of any educational facility. The
 2435 services of a registered architect are not required for a minor
 2436 renovation project for which the construction cost is less than

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2437 \$50,000 or for the placement or hookup of relocatable
 2438 educational facilities that conform to standards adopted under
 2439 s. 1013.37. However, boards must provide compliance with
 2440 building code requirements and ensure that these structures are
 2441 adequately anchored for wind resistance as required by law. ~~A~~
 2442 ~~district school board shall reuse existing construction~~
 2443 ~~documents or design criteria packages if such reuse is feasible~~
 2444 ~~and practical. If a school district's 5-year educational~~
 2445 ~~facilities work plan includes the construction of two or more~~
 2446 ~~new schools for students in the same grade group and program,~~
 2447 ~~such as elementary, middle, or high school, the district school~~
 2448 ~~board must require that prototype design and construction be~~
 2449 ~~used for the construction of these schools.~~ Notwithstanding s.
 2450 287.055, a board may purchase the architectural services for the
 2451 design of educational or ancillary facilities under an existing
 2452 contract agreement for professional services held by a district
 2453 school board in the State of Florida, provided that the purchase
 2454 is to the economic advantage of the purchasing board, the
 2455 services conform to the standards prescribed by rules of the
 2456 State Board of Education, and such reuse is not without notice
 2457 to, and permission from, the architect of record whose plans or
 2458 design criteria are being reused. Plans must be reviewed for
 2459 compliance with the State Requirements for Educational
 2460 Facilities. Rules adopted under this section must establish
 2461 uniform prequalification, selection, bidding, and negotiation
 2462 procedures applicable to construction management contracts and
 2463 the design-build process. This section does not supersede any
 2464 small, woman-owned, or minority-owned business enterprise
 2465 preference program adopted by a board. Except as otherwise

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2466 provided in this section, the negotiation procedures applicable
 2467 to construction management contracts and the design-build
 2468 process must conform to the requirements of s. 287.055. A board
 2469 may not modify any rules regarding construction management
 2470 contracts or the design-build process.
 2471 Section 42. Section 1013.451, Florida Statutes, is
 2472 repealed.
 2473 Section 43. Paragraph (a) of subsection (3) of section
 2474 1013.62, Florida Statutes, is amended to read:
 2475 1013.62 Charter schools capital outlay funding.—
 2476 (3) If the school board levies the discretionary millage
 2477 authorized in s. 1011.71(2), the department shall use the
 2478 following calculation methodology to determine the amount of
 2479 revenue that a school district must distribute to each eligible
 2480 charter school:
 2481 (a) Reduce the total discretionary millage revenue by the
 2482 school district's annual debt service obligation incurred as of
 2483 March 1, 2017, which has not been subsequently retired, and any
 2484 amount of participation requirement pursuant to s.
 2485 1013.64(2)(a)7. ~~s. 1013.64(2)(a)8.~~ that is being satisfied by
 2486 revenues raised by the discretionary millage.
 2487
 2488 By October 1 of each year, each school district shall certify to
 2489 the department the amount of debt service and participation
 2490 requirement that complies with the requirement of paragraph (a)
 2491 and can be reduced from the total discretionary millage revenue.
 2492 The Auditor General shall verify compliance with the
 2493 requirements of paragraph (a) and s. 1011.71(2)(e) during
 2494 scheduled operational audits of school districts.

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2495 Section 44. Paragraph (e) of subsection (1), paragraph (a)
 2496 of subsection (2), paragraph (d) of subsection (3), paragraph
 2497 (b) of subsection (5), and paragraphs (b) through (e) of
 2498 subsection (6) of section 1013.64, Florida Statutes, are amended
 2499 to read:

2500 1013.64 Funds for comprehensive educational plant needs;
 2501 construction cost maximums for school district capital
 2502 projects.—Allocations from the Public Education Capital Outlay
 2503 and Debt Service Trust Fund to the various boards for capital
 2504 outlay projects shall be determined as follows:

2505 (1)

2506 (e) Remodeling projects must ~~shall~~ be based on the
 2507 recommendations of a survey pursuant to s. 1013.31, or, for
 2508 district school boards, as indicated by the relative need as
 2509 determined by the Florida Inventory of School Houses and the
 2510 capital outlay full-time equivalent enrollment in the district.

2511 (2) (a) The department shall establish, as a part of the
 2512 Public Education Capital Outlay and Debt Service Trust Fund, a
 2513 separate account, in an amount determined by the Legislature, to
 2514 be known as the "Special Facility Construction Account." The
 2515 Special Facility Construction Account shall be used to provide
 2516 necessary construction funds to school districts which have
 2517 urgent construction needs but which lack sufficient resources at
 2518 present, and cannot reasonably anticipate sufficient resources
 2519 within the period of the next 3 years, for these purposes from
 2520 currently authorized sources of capital outlay revenue. A school
 2521 district requesting funding from the Special Facility
 2522 Construction Account shall submit one specific construction
 2523 project, not to exceed one complete educational plant, to the

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2524 Special Facility Construction Committee. A district may not
 2525 receive funding for more than one approved project in any 3-year
 2526 period or while any portion of the district's participation
 2527 requirement is outstanding. The first year of the 3-year period
 2528 shall be the first year a district receives an appropriation.
 2529 The department shall encourage a construction program that
 2530 reduces the average size of schools in the district. The request
 2531 must meet the following criteria to be considered by the
 2532 committee:

2533 1. The project must be deemed a critical need and must be
 2534 recommended for funding by the Special Facility Construction
 2535 Committee. Before developing construction plans for the proposed
 2536 facility, the district school board must request a
 2537 preapplication review by the Special Facility Construction
 2538 Committee or a project review subcommittee convened by the chair
 2539 of the committee to include two representatives of the
 2540 department and two staff members from school districts not
 2541 eligible to participate in the program. A school district may
 2542 request a preapplication review at any time; however, if the
 2543 district school board seeks inclusion in the department's next
 2544 annual capital outlay legislative budget request, the
 2545 preapplication review request must be made before February 1.
 2546 Within 90 days after receiving the preapplication review
 2547 request, the committee or subcommittee must meet in the school
 2548 district to review the project proposal and existing facilities.
 2549 To determine whether the proposed project is a critical need,
 2550 the committee or subcommittee shall consider, at a minimum, the
 2551 capacity of all existing facilities within the district as
 2552 determined by the Florida Inventory of School Houses; the

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2553 district's pattern of student growth; the district's existing
 2554 and projected capital outlay full-time equivalent student
 2555 enrollment as determined by the demographic, revenue, and
 2556 education estimating conferences established in s. 216.136; the
 2557 district's existing satisfactory student stations; the use of
 2558 all existing district property and facilities; grade level
 2559 configurations; and any other information that may affect the
 2560 need for the proposed project.

2561 2. The construction project must be recommended ~~in the~~
 2562 ~~most recent survey or survey amendment cooperatively prepared by~~
 2563 ~~the district school board and the department,~~ and approved by
 2564 the department under the rules of the State Board of Education.
 2565 If a district school board employs a consultant in the
 2566 preparation of a survey or survey amendment, the consultant may
 2567 not be employed by or receive compensation from a third party
 2568 that designs or constructs a project recommended by the survey.

2569 3. The construction project must appear on the district's
 2570 approved project priority list under the rules of the State
 2571 Board of Education.

2572 4. The district must have selected and had approved a site
 2573 for the construction project in compliance with s. 1013.36 and
 2574 the rules of the State Board of Education.

2575 5. The district shall have developed a district school
 2576 board adopted list of facilities that do not exceed the norm for
 2577 net square feet occupancy requirements under the State
 2578 Requirements for Educational Facilities, using all possible
 2579 programmatic combinations for multiple use of space to obtain
 2580 maximum daily use of all spaces within the facility under
 2581 consideration.

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2582 6. ~~Upon construction, the total cost per student station,~~
 2583 ~~including change orders, must not exceed the cost per student~~
 2584 ~~station as provided in subsection (6) unless approved by the~~
 2585 ~~Special Facility Construction Committee. At the discretion of~~
 2586 ~~the committee, costs that exceed the cost per student station~~
 2587 ~~for special facilities may include legal and administrative~~
 2588 ~~fees, the cost of site improvements or related offsite~~
 2589 ~~improvements, the cost of complying with public shelter and~~
 2590 ~~hurricane hardening requirements, cost overruns created by a~~
 2591 ~~disaster as defined in s. 252.34(2), costs of security~~
 2592 ~~enhancements approved by the school safety specialist, and~~
 2593 ~~unforeseeable circumstances beyond the district's control.~~

2594 7. There shall be an agreement signed by the district
 2595 school board stating that it will advertise for bids within 30
 2596 days of receipt of its encumbrance authorization from the
 2597 department.

2598 ~~7.8.~~ For construction projects for which Special Facilities
 2599 Construction Account funding is sought before the 2019-2020
 2600 fiscal year, the district shall, at the time of the request and
 2601 for a continuing period necessary to meet the district's
 2602 participation requirement, levy the maximum millage against its
 2603 nonexempt assessed property value as allowed in s. 1011.71(2) or
 2604 shall raise an equivalent amount of revenue from the school
 2605 capital outlay surtax authorized under s. 212.055(6). Beginning
 2606 with construction projects for which Special Facilities
 2607 Construction Account funding is sought in the 2019-2020 fiscal
 2608 year, the district shall, for a minimum of 3 years before
 2609 submitting the request and for a continuing period necessary to
 2610 meet its participation requirement, levy the maximum millage

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2611 against the district's nonexempt assessed property value as
 2612 authorized under s. 1011.71(2) or shall raise an equivalent
 2613 amount of revenue from the school capital outlay surtax
 2614 authorized under s. 212.055(6). Any district with a new or
 2615 active project, funded under the provisions of this subsection,
 2616 shall be required to budget no more than the value of 1 mill per
 2617 year to the project until the district's participation
 2618 requirement relating to the local discretionary capital
 2619 improvement millage or the equivalent amount of revenue from the
 2620 school capital outlay surtax is satisfied.

2621 ~~8.9.~~ If a contract has not been signed 90 days after the
 2622 advertising of bids, the funding for the specific project shall
 2623 revert to the Special Facility New Construction Account to be
 2624 reallocated to other projects on the list. However, an
 2625 additional 90 days may be granted by the commissioner.

2626 ~~9.10.~~ The department shall certify the inability of the
 2627 district to fund the ~~survey-recommended~~ project over a
 2628 continuous 3-year period using projected capital outlay revenue
 2629 derived from s. 9(d), Art. XII of the State Constitution, as
 2630 amended, paragraph (3)(a) of this section, and s. 1011.71(2).

2631 ~~10.11.~~ The district shall have on file with the department
 2632 an adopted resolution acknowledging its commitment to satisfy
 2633 its participation requirement, which is equivalent to all
 2634 unencumbered and future revenue acquired from s. 9(d), Art. XII
 2635 of the State Constitution, as amended, paragraph (3)(a) of this
 2636 section, and s. 1011.71(2), in the year of the initial
 2637 appropriation and for the 2 years immediately following the
 2638 initial appropriation.

2639 ~~11.12.~~ Phase I plans must be approved by the district

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2640 school board as being in compliance with the building and life
 2641 safety codes before June 1 of the year the application is made.

2642 (3)

2643 (d) Funds accruing to a district school board from the
 2644 provisions of this section shall be expended on needed projects
 2645 as shown ~~by survey or surveys~~ under the rules of the State Board
 2646 of Education.

2647 (5) District school boards shall identify each fund source
 2648 and the use of each proportionate to the project cost, as
 2649 identified in the bid document, to assure compliance with this
 2650 section. The data shall be submitted to the department, which
 2651 shall track this information as submitted by the boards. PECO
 2652 funds shall not be expended as indicated in the following:

2653 (b) PECO funds shall not be used for the construction of
 2654 football fields, bleachers, site lighting for athletic
 2655 facilities, tennis courts, stadiums, racquetball courts, or any
 2656 other competition-type facilities not required for physical
 2657 education curriculum. Regional or intradistrict football
 2658 stadiums may be constructed with these funds provided a minimum
 2659 of two high schools and two middle schools are assigned to the
 2660 facility ~~and the stadiums are survey recommended~~. Sophisticated
 2661 auditoria shall be limited to magnet performing arts schools,
 2662 with all other schools using basic lighting and sound systems as
 2663 determined by rule. Local funds shall be used for enhancement of
 2664 athletic and performing arts facilities.

2665 (6)

2666 (b)1. ~~A district school board may not use funds from the~~
 2667 ~~following sources: Public Education Capital Outlay and Debt~~
 2668 ~~Service Trust Fund; School District and Community College~~

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2669 ~~District Capital Outlay and Debt Service Trust Fund, Classrooms~~
 2670 ~~First Program funds provided in s. 1013.68; nonvoted 1.5 mill~~
 2671 ~~levy of ad valorem property taxes provided in s. 1011.71(2);~~
 2672 ~~Classrooms for Kids Program funds provided in s. 1013.735;~~
 2673 ~~District Effort Recognition Program funds provided in s.~~
 2674 ~~1013.736; or High Growth District Capital Outlay Assistance~~
 2675 ~~Grant Program funds provided in s. 1013.738 to pay for any~~
 2676 ~~portion of the cost of any new construction of educational plant~~
 2677 ~~space with a total cost per student station, including change~~
 2678 ~~orders, which exceeds:~~

2679 a. ~~\$17,952 for an elementary school;~~
 2680 b. ~~\$19,386 for a middle school; or~~
 2681 c. ~~\$25,181 for a high school;~~

2682

2683 ~~(January 2006) as adjusted annually to reflect increases or~~
 2684 ~~decreases in the Consumer Price Index. The department, in~~
 2685 ~~conjunction with the Office of Economic and Demographic~~
 2686 ~~Research, shall estimate review and adjust the cost per student~~
 2687 ~~station limits to reflect actual construction costs by January~~
 2688 ~~1, 2020, and annually thereafter. The adjusted cost per student~~
 2689 ~~station shall be used by the department for computation of the~~
 2690 ~~statewide average costs per student station for each~~
 2691 ~~instructional level pursuant to paragraph (d). The department~~
 2692 ~~may shall also collaborate with the Office of Economic and~~
 2693 ~~Demographic Research to select an industry-recognized~~
 2694 ~~construction index to reflect annual changes in the cost per~~
 2695 ~~student station replace the Consumer Price Index by January 1,~~
 2696 ~~2020, adjusted annually to reflect changes in the construction~~
 2697 ~~index.~~

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2698 2. District school boards ~~School districts~~ shall maintain
 2699 accurate documentation related to the costs of all new
 2700 construction of educational plant space reported to the
 2701 Department of Education pursuant to paragraph (c) ~~(d)~~. ~~The~~
 2702 ~~Auditor General shall review the documentation maintained by the~~
 2703 ~~school districts and verify compliance with the limits under~~
 2704 ~~this paragraph during its scheduled operational audits of the~~
 2705 ~~school district.~~

2706 3. ~~Except for educational facilities and sites subject to a~~
 2707 ~~lease-purchase agreement entered pursuant to s. 1011.71(2)(c) or~~
 2708 ~~funded solely through local impact fees, in addition to the~~
 2709 ~~funding sources listed in subparagraph 1., a district school~~
 2710 ~~board may not use funds from any sources for new construction of~~
 2711 ~~educational plant space with a total cost per student station,~~
 2712 ~~including change orders, which equals more than the current~~
 2713 ~~adjusted amounts provided in sub-subparagraphs 1.a.-c. However,~~
 2714 ~~if a contract has been executed for architectural and design~~
 2715 ~~services or for construction management services before July 1,~~
 2716 ~~2017, a district school board may use funds from any source for~~
 2717 ~~the new construction of educational plant space and such funds~~
 2718 ~~are exempt from the total cost per student station requirements.~~

2719 4. ~~A district school board must not use funds from the~~
 2720 ~~Public Education Capital Outlay and Debt Service Trust Fund or~~
 2721 ~~the School District and Community College District Capital~~
 2722 ~~Outlay and Debt Service Trust Fund for any new construction of~~
 2723 ~~an ancillary plant that exceeds 70 percent of the average cost~~
 2724 ~~per square foot of new construction for all schools.~~

2725 (c) ~~Except as otherwise provided, new construction for~~
 2726 ~~which a contract has been executed for architectural and design~~

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2727 ~~services or for construction management services by a district~~
 2728 ~~school board on or after July 1, 2017, may not exceed the cost~~
 2729 ~~per student station as provided in paragraph (b).~~

2730 ~~(d)~~ The department shall:

2731 1. Compute for each calendar year the statewide average
 2732 construction costs for facilities serving each instructional
 2733 level, for relocatable educational facilities, for
 2734 administrative facilities, and for other ancillary and auxiliary
 2735 facilities. The department shall compute the statewide average
 2736 costs per student station for each instructional level.

2737 2. Annually review the actual completed construction costs
 2738 of educational facilities in each school district. ~~For any~~
 2739 ~~school district in which the total actual cost per student~~
 2740 ~~station, including change orders, exceeds the statewide limits~~
 2741 ~~established in paragraph (b), the school district shall report~~
 2742 ~~to the department the actual cost per student station and the~~
 2743 ~~reason for the school district's inability to adhere to the~~
 2744 ~~limits established in paragraph (b). The department shall~~
 2745 ~~collect all such reports and shall provide these reports to the~~
 2746 ~~Auditor General for verification purposes.~~

2747 ~~Cost per student station includes contract costs, fees of~~
 2748 ~~architects and engineers, and the cost of furniture and~~
 2749 ~~equipment. Cost per student station does not include the cost of~~
 2750 ~~purchasing or leasing the site for the construction, legal and~~
 2751 ~~administrative costs, or the cost of related site or offsite~~
 2752 ~~improvements. Cost per student station also does not include the~~
 2753 ~~cost for securing entries, checkpoint construction, lighting~~
 2754 ~~specifically designed for entry point security, security~~
 2755

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2756 ~~cameras, automatic locks and locking devices, electronic~~
 2757 ~~security systems, fencing designed to prevent intruder entry~~
 2758 ~~into a building, bullet-proof glass, or other capital~~
 2759 ~~construction items approved by the school safety specialist to~~
 2760 ~~ensure building security for new educational, auxiliary, or~~
 2761 ~~ancillary facilities.~~

2762 ~~(e) Notwithstanding the requirements of this subsection, an~~
 2763 ~~unfinished construction project for new construction of~~
 2764 ~~educational plant space that was started on or before July 1,~~
 2765 ~~2028, is exempt from the total cost per student station~~
 2766 ~~requirements established in paragraph (b).~~

2767 Section 45. Paragraph (e) of subsection (6) of section
 2768 163.3180, Florida Statutes, is amended to read:

2769 163.3180 Concurrency.—

2770 (6)

2771 (e) A school district that includes relocatable facilities
 2772 in its inventory of student stations shall include the capacity
 2773 of such relocatable facilities ~~as provided in s.~~
 2774 ~~1013.35(2)(b)2.f.~~, provided the relocatable facilities were
 2775 purchased after 1998 and the relocatable facilities meet the
 2776 standards for long-term use pursuant to s. 1013.20.

2777 Section 46. Paragraph (a) of subsection (5) of section
 2778 1002.68, Florida Statutes, is amended to read:

2779 1002.68 Voluntary Prekindergarten Education Program
 2780 accountability.—

2781 (5) (a) If a public school's or private prekindergarten
 2782 provider's program assessment composite score for its
 2783 prekindergarten classrooms fails to meet the minimum program
 2784 assessment composite score for contracting adopted in rule by

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2785 the department, the private prekindergarten provider or public
 2786 school may not participate in the Voluntary Prekindergarten
 2787 Education Program beginning in the consecutive program year and
 2788 thereafter until the public school or private prekindergarten
 2789 provider meets the minimum composite score for contracting. A
 2790 public school or private prekindergarten provider may request
 2791 one program assessment per program year in order to requalify
 2792 for participation in the Voluntary Prekindergarten Education
 2793 Program, provided that the public school or private
 2794 prekindergarten provider is not excluded from participation
 2795 under ss. 1002.55(6), 1002.61(10)(b), 1002.63(9) ~~1002.63(9)(b)~~,
 2796 or paragraph (5)(b) of this section. If a public school or
 2797 private prekindergarten provider would like an additional
 2798 program assessment completed within the same program year, the
 2799 public school or private prekindergarten provider shall be
 2800 responsible for the cost of the program assessment.

2801 Section 47. Paragraphs (c) and (e) of subsection (2) of
 2802 section 1003.631, Florida Statutes, are amended to read:

2803 1003.631 Schools of Excellence.—The Schools of Excellence
 2804 Program is established to provide administrative flexibility to
 2805 the state's top schools so that the instructional personnel and
 2806 administrative staff at such schools can continue to serve their
 2807 communities and increase student learning to the best of their
 2808 professional ability.

2809 (2) ADMINISTRATIVE FLEXIBILITIES.—A School of Excellence
 2810 must be provided the following administrative flexibilities:

2811 (c) For instructional personnel, the substitution of 1
 2812 school year of employment at a School of Excellence for 20
 2813 inservice points toward the renewal of a professional

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2814 certificate, up to 60 inservice points in a 5-year cycle,
 2815 ~~pursuant to s. 1012.585(3).~~
 2816 (e) Calculation for compliance with maximum class size
 2817 ~~pursuant to s. 1003.03(4)~~ based on the average number of
 2818 students at the school level.
 2819 Section 48. Paragraph (c) of subsection (2) and paragraph
 2820 (b) of subsection (5) of section 1004.04, Florida Statutes, are
 2821 amended to read:
 2822 1004.04 Public accountability and state approval for
 2823 teacher preparation programs.—
 2824 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—
 2825 (c) Each candidate must receive instruction and be assessed
 2826 on the uniform core curricula in the candidate's area or areas
 2827 of program concentration during course work and field
 2828 experiences. Beginning with candidates entering a teacher
 2829 preparation program in the 2022-2023 school year, a candidate
 2830 for certification in a coverage area identified pursuant to s.
 2831 1012.585(3)(g) ~~s. 1012.585(3)(f)~~ must successfully complete all
 2832 competencies for a reading endorsement, including completion of
 2833 the endorsement practicum through the candidate's field
 2834 experience under subsection (5), in order to graduate from the
 2835 program.
 2836 (5) PRESERVICE FIELD EXPERIENCE.—All postsecondary
 2837 instructors, school district personnel and instructional
 2838 personnel, and school sites preparing instructional personnel
 2839 through preservice field experience courses and internships
 2840 shall meet special requirements. District school boards may pay
 2841 student teachers during their internships.
 2842 (b)1. All school district personnel and instructional

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2843 personnel who supervise or direct teacher preparation students
 2844 during field experience courses or internships taking place in
 2845 this state in which candidates demonstrate an impact on student
 2846 learning growth must have:

2847 a. Evidence of "clinical educator" training;
 2848 b. A valid professional certificate issued pursuant to s.
 2849 1012.56;
 2850 c. At least 3 years of teaching experience in
 2851 prekindergarten through grade 12;
 2852 d. Earned an effective or highly effective rating on the
 2853 prior year's performance evaluation under s. 1012.34 or be a
 2854 peer evaluator under the district's evaluation system approved
 2855 under s. 1012.34; and
 2856 e. Beginning with the 2022-2023 school year, for all such
 2857 personnel who supervise or direct teacher preparation students
 2858 during internships in kindergarten through grade 3 or who are
 2859 enrolled in a teacher preparation program for a certificate area
 2860 identified pursuant to s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~, a
 2861 certificate or endorsement in reading.

2862
 2863 The State Board of Education shall approve the training
 2864 requirements.

2865 2. All instructional personnel who supervise or direct
 2866 teacher preparation students during field experience courses or
 2867 internships in another state, in which a candidate demonstrates
 2868 his or her impact on student learning growth, through a Florida
 2869 online or distance program must have received "clinical
 2870 educator" training or its equivalent in that state, hold a valid
 2871 professional certificate issued by the state in which the field

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2872 experience takes place, and have at least 3 years of teaching
 2873 experience in prekindergarten through grade 12.

2874 3. All instructional personnel who supervise or direct
 2875 teacher preparation students during field experience courses or
 2876 internships, in which a candidate demonstrates his or her impact
 2877 on student learning growth, on a United States military base in
 2878 another country through a Florida online or distance program
 2879 must have received "clinical educator" training or its
 2880 equivalent, hold a valid professional certificate issued by the
 2881 United States Department of Defense or a state or territory of
 2882 the United States, and have at least 3 years teaching experience
 2883 in prekindergarten through grade 12.

2884 Section 49. Paragraph (b) of subsection (3) of section
 2885 1004.85, Florida Statutes, is amended to read:
 2886 1004.85 Postsecondary educator preparation institutes.—
 2887 (3) Educator preparation institutes approved pursuant to
 2888 this section may offer competency-based certification programs
 2889 specifically designed for noneducation major baccalaureate
 2890 degree holders to enable program participants to meet the
 2891 educator certification requirements of s. 1012.56. An educator
 2892 preparation institute choosing to offer a competency-based
 2893 certification program pursuant to the provisions of this section
 2894 must implement a program developed by the institute and approved
 2895 by the department for this purpose. Approved programs shall be
 2896 available for use by other approved educator preparation
 2897 institutes.

2898 (b) Each program participant must:
 2899 1. Meet certification requirements pursuant to s.
 2900 1012.56(1) by obtaining a statement of status of eligibility in

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2901 the certification subject area of the educational plan and meet
2902 the requirements of s. 1012.56(2) (a)-(f) before participating in
2903 field experiences.

2904 2. Demonstrate competency and participate in field
2905 experiences that are appropriate to his or her educational plan
2906 prepared under paragraph (a). Beginning with candidates entering
2907 an educator preparation institute in the 2022-2023 school year,
2908 a candidate for certification in a coverage area identified
2909 pursuant to s. 1012.585(3) (g) ~~s. 1012.585(3) (f)~~ must
2910 successfully complete all competencies for a reading
2911 endorsement, including completion of the endorsement practicum
2912 through the candidate's field experience, in order to graduate
2913 from the program.

2914 3. Before completion of the program, fully demonstrate his
2915 or her ability to teach the subject area for which he or she is
2916 seeking certification by documenting a positive impact on
2917 student learning growth in a prekindergarten through grade 12
2918 setting and, except as provided in s. 1012.56(7) (a)3., achieving
2919 a passing score on the professional education competency
2920 examination, the basic skills examination, and the subject area
2921 examination for the subject area certification which is required
2922 by state board rule.

2923 Section 50. Paragraph (b) of subsection (2) of section
2924 1012.586, Florida Statutes, is amended to read:

2925 1012.586 Additions or changes to certificates; duplicate
2926 certificates; reading endorsement pathways.—

2927 (2)

2928 (b) As part of adopting a pathway pursuant to paragraph
2929 (a), the department shall review the competencies for the

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2930 reading endorsement and subject area examinations for educator
2931 certificates identified pursuant to s. 1012.585(3) (g) ~~s.~~
2932 ~~1012.585(3) (f)~~ for alignment with evidence-based instructional
2933 and intervention strategies rooted in the science of reading and
2934 identified pursuant to s. 1001.215(7) and recommend changes to
2935 the State Board of Education. Recommended changes must address
2936 identification of the characteristics of conditions such as
2937 dyslexia, implementation of evidence-based classroom instruction
2938 and interventions, including evidence-based reading instruction
2939 and interventions specifically for students with characteristics
2940 of dyslexia, and effective progress monitoring. By July 1, 2023,
2941 each school district reading endorsement add-on program must be
2942 resubmitted for approval by the department consistent with this
2943 paragraph.

2944 Section 51. Paragraph (b) of subsection (5) of section
2945 1012.98, Florida Statutes, is amended to read:

2946 1012.98 School Community Professional Learning Act.—

2947 (5) The Department of Education, school districts, schools,
2948 Florida College System institutions, and state universities
2949 share the responsibilities described in this section. These
2950 responsibilities include the following:

2951 (b) Each school district shall develop a professional
2952 learning system as specified in subsection (4). The system shall
2953 be developed in consultation with teachers, teacher-educators of
2954 Florida College System institutions and state universities,
2955 business and community representatives, and local education
2956 foundations, consortia, and professional organizations. The
2957 professional learning system must:

2958 1. Be reviewed and approved by the department for

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2959 compliance with s. 1003.42(3) and this section. Effective March
 2960 1, 2024, the department shall establish a calendar for the
 2961 review and approval of all professional learning systems. A
 2962 professional learning system must be reviewed and approved every
 2963 5 years. Any substantial revisions to the system must be
 2964 submitted to the department for review and approval. The
 2965 department shall establish a format for the review and approval
 2966 of a professional learning system.

2967 2. Be based on analyses of student achievement data and
 2968 instructional strategies and methods that support rigorous,
 2969 relevant, and challenging curricula for all students. Schools
 2970 and districts, in developing and refining the professional
 2971 learning system, shall also review and monitor school discipline
 2972 data; school environment surveys; assessments of parental
 2973 satisfaction; performance appraisal data of teachers, managers,
 2974 and administrative personnel; and other performance indicators
 2975 to identify school and student needs that can be met by improved
 2976 professional performance.

2977 3. Provide inservice activities coupled with follow-up
 2978 ~~followup~~ support appropriate to accomplish district-level and
 2979 school-level improvement goals and standards. The inservice
 2980 activities for instructional and school administrative personnel
 2981 shall focus on analysis of student achievement data; ongoing
 2982 formal and informal assessments of student achievement;
 2983 identification and use of enhanced and differentiated
 2984 instructional strategies that emphasize rigor, relevance, and
 2985 reading in the content areas; enhancement of subject content
 2986 expertise; integrated use of classroom technology that enhances
 2987 teaching and learning; classroom management; parent involvement;

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2988 and school safety.

2989 4. Provide inservice activities and support targeted to the
 2990 individual needs of new teachers participating in the
 2991 professional learning certification and education competency
 2992 program under s. 1012.56(8)(a).

2993 5. Include a professional learning catalog for inservice
 2994 activities, pursuant to rules of the State Board of Education,
 2995 for all district employees from all fund sources. The catalog
 2996 must be updated annually by September 1, must be based on input
 2997 from teachers and district and school instructional leaders, and
 2998 must use the latest available student achievement data and
 2999 research to enhance rigor and relevance in the classroom. Each
 3000 district inservice catalog must be aligned to and support the
 3001 school-based inservice catalog and school improvement plans
 3002 pursuant to s. 1001.42(18). Each district inservice catalog must
 3003 provide a description of the training that middle grades
 3004 instructional personnel and school administrators receive on the
 3005 district's code of student conduct adopted pursuant to s.
 3006 1006.07; integrated digital instruction and competency-based
 3007 instruction and CAPE Digital Tool certificates and CAPE industry
 3008 certifications; classroom management; student behavior and
 3009 interaction; extended learning opportunities for students; and
 3010 instructional leadership. District plans must be approved by the
 3011 district school board annually in order to ensure compliance
 3012 with subsection (1) and to allow for dissemination of research-
 3013 based best practices to other districts. District school boards
 3014 shall submit verification of their approval to the Commissioner
 3015 of Education no later than October 1, annually. Each school
 3016 principal may establish and maintain an individual professional

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3017 learning plan for each instructional employee assigned to the
 3018 school as a seamless component to the school improvement plans
 3019 developed pursuant to s. 1001.42(18). An individual professional
 3020 learning plan must be related to specific performance data for
 3021 the students to whom the teacher is assigned, define the
 3022 inservice objectives and specific measurable improvements
 3023 expected in student performance as a result of the inservice
 3024 activity, and include an evaluation component that determines
 3025 the effectiveness of the professional learning plan.

3026 6. Include inservice activities for school administrative
 3027 personnel, aligned to the state's educational leadership
 3028 standards, which address updated skills necessary for
 3029 instructional leadership and effective school management
 3030 pursuant to s. 1012.986.

3031 7. Provide for systematic consultation with regional and
 3032 state personnel designated to provide technical assistance and
 3033 evaluation of local professional learning programs.

3034 8. Provide for delivery of professional learning by
 3035 distance learning and other technology-based delivery systems to
 3036 reach more educators at lower costs.

3037 9. Provide for the continuous evaluation of the quality and
 3038 effectiveness of professional learning programs in order to
 3039 eliminate ineffective programs and strategies and to expand
 3040 effective ones. Evaluations must consider the impact of such
 3041 activities on the performance of participating educators and
 3042 their students' achievement and behavior.

3043 10. For all grades, emphasize:

3044 a. Interdisciplinary planning, collaboration, and
 3045 instruction.

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3046 b. Alignment of curriculum and instructional materials to
 3047 the state academic standards adopted pursuant to s. 1003.41.

3048 c. Use of small learning communities; problem-solving,
 3049 inquiry-driven research and analytical approaches for students;
 3050 strategies and tools based on student needs; competency-based
 3051 instruction; integrated digital instruction; and project-based
 3052 instruction.

3053

3054 Each school that includes any of grades 6, 7, or 8 shall include
 3055 in its school improvement plan, required under s. 1001.42(18), a
 3056 description of the specific strategies used by the school to
 3057 implement each item listed in this subparagraph.

3058 11. Provide training to reading coaches, classroom
 3059 teachers, and school administrators in effective methods of
 3060 identifying characteristics of conditions such as dyslexia and
 3061 other causes of diminished phonological processing skills;
 3062 incorporating instructional techniques into the general
 3063 education setting which are proven to improve reading
 3064 performance for all students; and using predictive and other
 3065 data to make instructional decisions based on individual student
 3066 needs. The training must help teachers integrate phonemic
 3067 awareness; phonics, word study, and spelling; reading fluency;
 3068 vocabulary, including academic vocabulary; and text
 3069 comprehension strategies into an explicit, systematic, and
 3070 sequential approach to reading instruction, including
 3071 multisensory intervention strategies. Such training for teaching
 3072 foundational skills must be based on the science of reading and
 3073 include phonics instruction for decoding and encoding as the
 3074 primary instructional strategy for word reading. Instructional

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3075 strategies included in the training may not employ the three-
3076 cueing system model of reading or visual memory as a basis for
3077 teaching word reading. Such instructional strategies may include
3078 visual information and strategies which improve background and
3079 experiential knowledge, add context, and increase oral language
3080 and vocabulary to support comprehension, but may not be used to
3081 teach word reading. Each district must provide all elementary
3082 grades instructional personnel access to training sufficient to
3083 meet the requirements of s. 1012.585(3)(g) ~~s. 1012.585(3)(f)~~.

3084 Section 52. Except as otherwise expressly provided in this
3085 act and except for this section, which shall take effect upon
3086 becoming a law, this act shall take effect July 1, 2025.

3/27/25
Meeting Date

The Florida Senate
APPEARANCE RECORD

SB0164
Bill Number or Topic

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Committee
Name MARIAN PHILLIPS

Amendment Barcode (if applicable)
Phone 904-206-0230

Address 724 S. 6th Street
Street
Fernandina Beach FL 32034
City State Zip

Email marianphillips@floridaea.org

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Meeting Date

166

Bill Number or Topic

243 396

Amendment Barcode (if applicable)

Fiscal Policy

Committee

Name

Mark Anderson

Phone

813-205-0658

Address

110 S. Monroe Suite I

Email

Mark@ConsultAnderson.com

Street

Tallahassee, FL 32301

City

State

Zip

Speaking:

For

Against

Information

OR

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In Support

Against

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SB 166

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Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Stephen Simon

Phone

Address

Email stephensimon@temp.org
R. CAH

Street
Spring Hill, FL 34609
City State Zip

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SB 166

27 MAR 2025

Meeting Date

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Committee

Amendment Barcode (if applicable)

Name KIM SMITH

Phone 8133358674

Address 7024 GLENNVIEW DR

Email

Street

Tampa

FL

33619

City

State

Zip

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S-001 (08/10/2021)

3/26/25

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166

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Fiscal Policies

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Committee

Amendment Barcode (if applicable)

Name Didia Fransaw

Phone 908-205-3393

Address _____

Email dfran0309@gmail.com

Street

Tampa FL 33611

City

State

Zip

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The Florida Senate

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Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Reese Howell

Phone 757 717 0171

Address 6507 Watson Rd

Street

Email rjh427@gmail.com

Riverview

City

FL

State

33578

Zip

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S-001 (08/10/2021)

March 27, 2025

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166

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Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name ANTONIO WARE

Phone 305 461-7343

Address _____

Email _____

Street

Miami Gardens, FL 33056

City

State

Zip

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SB 0166

Bill Number or Topic

3/27/25

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name LAKUSHE AYERS-CONIT

Phone 631 505-2862

Address 23 Portoxent Lane

Email kushcayers@uphove.com

Street

Palm Coast FL 32161

City

State

Zip

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I am a registered lobbyist, representing:

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SB
01606

Bill Number or Topic

Amendment Barcode (if applicable)

Name Elisabeth Dias

Phone

Address 21 Fitzgerald Ln

Email

Street

Palm Coast FL

City

State

Zip

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I am a registered lobbyist, representing:

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SB 166

Bill Number or Topic

3/27/2025

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Jorge Bortello

Phone

863 801 9184

Address

Street

Okeechobee FL

34974

City

State

Zip

Email

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

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compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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166

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Joy L. Jackson

Phone

305-328-3154

Address

Street

Miami

City

Fla.

State

33055

Zip

Email

JoyelJackson5@gmail.com

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/27/2025

Meeting Date

Administrative Efficiency
in Public Schools

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 0166

Bill Number or Topic

Amendment Barcode (if applicable)

Name Darzell Warren

Phone 850 266 4547

Address _____

Email _____

Street

PENSACOLA

City

FL

State

32526

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/27/25

Meeting Date

166

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Nicole Lindsey

Phone

Address

Email

Street

Centomert

City

FL

State

32533

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

166

Bill Number or Topic

Amendment Barcode (if applicable)

3/27/25

Meeting Date

Fiscal Policy

Committee

Name TERESA M. HODGE

Phone _____

Address _____ Email _____

Street

Dawie

City

FL

State

33314

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/27/25

Meeting Date

The Florida Senate
APPEARANCE RECORD

166

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Arlease Williams

Phone 239-878-9270

Address 3341 Thomas

Email arleasewilliams@ymail.com

Street

FF Myers FL 33946

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/27/2025

Meeting Date

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 166

Bill Number or Topic

Committee

Name Kelley Stephenson

Phone _____

Amendment Barcode (if applicable)

Address _____

Email _____

Street

DeFuniak Springs, FL 32433

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/27/25

Meeting Date

The Florida Senate APPEARANCE RECORD

SB 166

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name Jeannie Ford Phone _____

Address 508 4th St Email love2teach2@hotmail.com
Street

Port St-Joe FL 32456
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

<input checked="" type="checkbox"/> I am appearing without compensation or sponsorship.	<input type="checkbox"/> I am a registered lobbyist, representing:	<input type="checkbox"/> I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
---	--	---

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3/27/25

Meeting Date

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

166

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Ron Pollard

Phone

Address

Orlando

Email

Street

FL

32810

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3.27.25
Meeting Date

070166
Bill Number or Topic

Wys
Committee

Amendment Barcode (if applicable)

Alexis Underwood
Name

850 890 3424
Phone

Address

Alexis, Underwood
Email

Vanasa City FL 32405
Street City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

The Florida Senate

APPEARANCE RECORD

3/28/25

Meeting Date

SB 166

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Administrative Efficiency in Public Schools

Committee

Amendment Barcode (if applicable)

Name Clinton McCracken

Phone

Address

Street

Email

Orlando

City

FL

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

3/27/2025

Meeting Date

SB 0166

Bill Number or Topic

Fiscal Policy
Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Maira Rivera

Phone

Address

Email

Street

Orlando, FL 32828

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-27-25

Meeting Date

SB 0166

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Anthony Colucci

Phone ~~(215) 628-3223~~

Address _____

Email _____

Street

Titusville

City

FL

State

32780

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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03/27/25

Meeting Date

Fiscal Policy

Committee

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 0166

Bill Number or Topic

Amendment Barcode (if applicable)

Name LAOARA ROYAL

Phone _____

Address _____

Email _____

Street

Orlando

City

FL

State

32811

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/27/25 Meeting Date

SB0166 Bill Number or Topic

Administrative Efficiency in Public Schools Committee

Amendment Barcode (if applicable)

Name Valerie Jessup Phone 386 214 7047

Address Street Email Vjessup22@aol.com

City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

- [x] I am appearing without compensation or sponsorship. [] I am a registered lobbyist, representing: [] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/27/25

Meeting Date

0166

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Jonathan Hillard

Phone 321-917-5535

Address

Email

Street

Coconut FL 32927

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3-27-2025

Meeting Date

Fiscal Policy

Committee

SB 0166

Bill Number or Topic

Amendment Barcode (if applicable)

Name Mark Avery

Phone 352-817-8757

Address 3 Diamond Ridge Way

Street

Email markis4uf@yahoo.com

Ocala

City

FL

State

34472

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 166

3/27/25

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name **Mark Motl**

Phone **(386) 916-9275**

Address

Email **MarkMotl@gmail.com**

Street

Palatka

FL

32177

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 166

3/27/25

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Michael Greenan**

Phone **(352) 478-9621**

Address _____ Email **MikeGreenan@hotmail.com**

Street

Keystone Heights FL 32656

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/27/25
Meeting Date

SB 1166
Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Gordan Longhofer

Phone 561-386-9254

Address 3602 Old Lighthouse Ct.
Street

Email gordanlonghofer@gmail.com

Wellington, FL 33414
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/27/25

Meeting Date

Fiscal Policy

Committee

SB166

Bill Number or Topic

Amendment Barcode (if applicable)

Name Lisa Masserio

Phone 352-397-9276

Address _____

Email _____

Street

Brooksville, FL

City

State

34604

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/27/25

Meeting Date

Fiscal Policy
Committee

SB166

Bill Number or Topic

Amendment Barcode (if applicable)

Name Elizabeth Albert

Phone

Address

Email

Street

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

4/27/25 Meeting Date

166 Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Aimee Smith Phone

Address Email

Street

Bowling Green FL 33834

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

3/27/25

The Florida Senate APPEARANCE RECORD

SB 0166

Meeting Date

Fiscal Policy

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Jim Palmer

Phone

863-662-6782

Address

317 Oppitz Lane

Email

JimPalmer21@yahoo.com

Street

Lakeland FL 33813

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/27/2025

Meeting Date

SB 0164

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Tammie Brooks-Evans

Phone

Address

Email Wynette Brooks2@hotmail.com

Street

Orange Park FL 32073

City

State

Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/27/25

Meeting Date

SB 166

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Stephanie Yocum

Phone 863-533-0908

Address

Email

Street

Lakeland FL 33813

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

3-27-25

Meeting Date

Fiscal Policy

Committee

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 166

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Victoria Krdwell

Phone

904-912-6672

Address

Street

Middleburg

FL

State

32068

Zip

City

Email

Vicki.Cliff@hotmail.com

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/27/2025

Meeting Date

SB 01
1066

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Kimberley Skula Phone 850-567-9847

Address 2781 Ole Ben Cir. Email KimberleySkula@gmail.com
Street

Tlh Fl. 32305
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

Meeting Date March 27, 2025

Bill Number or Topic SB ~~1036~~ 0166

Committee _____

Amendment Barcode (if applicable) _____

Name Carla Blacklock

Phone 386-383-8634

Address 9211 137th Rd
Street

Email maybricar@yahoo.com

Live Oak FL 32060
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/24/2025
Meeting Date

Fiscal Policy
Committee

SB 0166
Bill Number or Topic

Amendment Barcode (if applicable)

Name Misty Ann Ward Phone _____

Address _____ Email _____

Branford FL 32008
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/27/25

Meeting Date

SB0166

Bill Number or Topic

FISCAL POLICY

Committee

Amendment Barcode (if applicable)

Name GINA MORELLA

Phone

Address 11977 XAVIER AVE

Email

Street

PC FL 33981

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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This form is part of the public record for this meeting.

3/27/20
Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 0164
Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee
Name Gilda Margat Williams Phone _____
Amendment Barcode (if applicable) _____

Address _____ Email _____
Street
WPB FL 3340
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/21/25

Meeting Date

Fiscal Policy

Committee

SB 166

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Diana Walker

Phone

305-393-1169

Address

61 S. Conch Ave

Email

duckkey3@gmail.com

Street

Marathon

FL

33050

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/27/25
Meeting Date

The Florida Senate
APPEARANCE RECORD

SB 0166
Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee
Name Dr. Wilhelmenia Jacobs
Address 13820 Sheffield Street
Wellington Florida 33414
City State Zip

Amendment Barcode (if applicable)
Phone (561) 329-5373
Email wjacobs@bellsouth.net

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3-27-25

Meeting Date

SB#0166

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Patricia Hatch-Sabers

Phone 561 704-9923

Address

Email ted1981@aol.com

Street

Baynton Bch, Fl

33436

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

3/27/25

Meeting Date

The Florida Senate APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

166

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Felecia Hampshire

Phone

904-622-7903

Address

508 Franklin St.

Email

carimania@gmail.com

Street

Green Cove Springs, FL 32043

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/27/25

Meeting Date

166

Bill Number or Topic

fiscal

Committee

Amendment Barcode (if applicable)

Name Kathy Smith

Phone

Address

Email

Street

Fruitland Park

City

State

Zip

34731

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3/27/25

Meeting Date

The Florida Senate APPEARANCE RECORD

166

Bill Number or Topic

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Elisabeth Emery

Phone _____

Address _____

Email _____

Street

Leesburg

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-27-25

Meeting Date

SB 166

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Helen Hamel

Phone 352-816-0626

Address 3445 SE Hwy 42

Email

Street

Summerfield FL

34491

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3/27/25

Meeting Date

SB 166

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Shan Coff

Phone 850-544-6138

Address 215 S Menard Street

Email shan@excelined

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Foundation for Florida's Future

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

3/27/25

Meeting Date

Fiscal Policy

Committee

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB 166

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jessica Janasiewicz (Jan-ah-see-witz)

Phone 850-567-7174

Address 119 South Monroe Street Suite 202

Email jessica@rutledge-ecenia.com

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Osceola, Santa Rosa and Leon

County Schools

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/27/2025

Meeting Date

SB0166

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Michael Grenon

Phone 321-412-8108

Address 112 Sea Breeze Cir

Street

Email reds87@bellsouth.net

Merritt Island, FL

City

State

32953

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

3-27-25 Meeting Date

SB 0166 Bill Number or Topic

Fiscal Policy Committee

Amendment Barcode (if applicable)

Name Carmen Ward Phone 352-538-1154

Address Email carmenrosew@gmail.com

Gainesville FL 32606 City State Zip

Speaking: [] For [] Against [] Information OR Waive Speaking: [x] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

- [x] I am appearing without compensation or sponsorship. [] I am a registered lobbyist, representing: [] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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3/27/25

The Florida Senate
APPEARANCE RECORD

SB 166

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name William Lawson Phone 407-252-6081

Address 3622 Helgenor Dr Email _____
Street

Winter Park FL 32792
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

APPEARANCE RECORD

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3-27-25

Meeting Date

SB 0166

Bill Number or Topic

Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Crystal Tessmann

Phone 352-870-7471

Address 4626 NW 34th St

Email northerntesseract@yahoo.com

Street

Gainesville

FL

32605

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

3/27/25

Meeting Date

The Florida Senate APPEARANCE RECORD

SB 0166

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name N. Sabrina Gates

Phone 813-679-0021

Address _____

Email _____

Street
Githia, FL
City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

166

Meeting Date

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name Derrick Bullard Phone _____

Address _____ Email _____

Street

Tampa FL 33610

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

166

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Wendy Carey

Phone

Address

Tampa FL

Email

Street

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 166

Bill Number or Topic

27 MAR 25

Meeting Date

FISCAL

Committee

Amendment Barcode (if applicable)

Name CURRIS PAC

Phone (904) 753-930

Address _____

Email _____

Street

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 438

INTRODUCER: Agriculture Committee and Senators Burton and Davis

SUBJECT: Food and Hemp Products

DATE: March 26, 2025 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Becker</u>	<u>Becker</u>	<u>AG</u>	Fav/CS
2.	<u>Becker</u>	<u>Siples</u>	<u>FP</u>	Favorable

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 438 makes a number of changes to the State Hemp Program.

Specific to testing, the bill removes the current requirement that hemp and hemp extract products be tested by an independent testing laboratory and now requires them to be tested by a certified medical marijuana testing laboratory (CMTL). It requires a CMTL to determine whether the test results indicate that the product meets the definition of hemp and hemp extract, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and the product is free from contaminants unsafe for human consumption. Results must be verified and signed by two laboratory employees.

The bill creates new requirements for the sale of THC-infused beverages. It prohibits the retail sale of THC-infused beverages at a location other than premises licensed to sell alcoholic beverages and specifies that THC-infused beverages may not contain alcoholic beverages or intoxicating beverages as defined in statute. It requires that THC-infused beverages only be distributed by a distributor licensed under the Beverage Law and provides additional prohibitions and requirements.

The bill makes several changes and additions to related definitions. Specifically, the bill modifies the definition of “attractive to children” to include containers displaying toys or other features that target children and include products manufactured in a form or packaged in a container that bears any reasonable resemblance to a branded food product such that the product could be mistaken for the branded food product, especially by children. It modifies the definition of

“hemp” to provide that it does not exceed 5 milligrams per servings and 50 milligrams per container on a wet-weight basis, whichever is less, except that a THC-infused beverage may not contain more than 5 milligrams per unopened can or bottle or in any other sealed container.

The bill prohibits businesses and food establishments permitted to sell hemp or hemp extract from advertising the availability of such products in a manner that is visible to members of the public from any street, sidewalk, park, or other public place. A business or food establishment permitted to sell hemp extract may not use a trade name, logo, or advertising that contains wording or images that are attractive to children; that implies that such products confer health or medical benefits that are unsubstantiated; or that suggests that the business or food establishment is affiliated with a medical office or other health care facility. Advertising may not use the term “THC” or “medical card” or similar terms.

The bill prohibits an event organizer from promoting, advertising, or facilitating an event where hemp extract products are sold that do not comply with general law or are sold by a business that is not properly permitted. Before an event where hemp extract products are sold or marketed, an event organizer must provide the department with a list of the businesses selling or marketing hemp extract products and verify that each business is only selling hemp products from an approved source. The event organizer must ensure that each participating business is properly permitted.

For the 2025-2026 fiscal year, the bill appropriates the sum of \$2 million in nonrecurring funds from the General Revenue Fund to the Department of Law Enforcement for the purchase of testing equipment necessary to implement the bill. See Section V.

The bill takes effect October 1, 2025.

II. Present Situation:

Industrial Hemp

Industrial hemp is a *Cannabis sativa* plant (cannabis) that has been cultivated for approximately 10,000 years as a fiber and grain crop. It is used for textiles, building materials, seed oil, and essential oil.¹

Cannabis

Cannabis is a Schedule I controlled substance.² In Florida, it is a felony of the third degree³ to sell, manufacture, deliver, or possess with intent to sell, manufacture, or deliver, cannabis.⁴

¹ See University of Florida, *UF/IFAS Industrial Hemp Pilot Project* at: <https://programs.ifas.ufl.edu/hemp/> (last visited March 12, 2025).

² Section 893.03(1)(c)7., F.S.

³ Section 775.082, F.S., provides that a felony of the third degree is punishable by a term of imprisonment not to exceed 5 years. Section 775.083, F.S., provides that a felony of the third degree is punishable by a fine not to exceed \$5,000.

⁴ Section 893.13(1)(a)2., F.S.

As a controlled substance in chapter 893, F.S., “cannabis” is defined to mean: all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. The term does not include “marijuana,” as defined in s. 381.986, F.S., if manufactured, possessed, sold, purchased, delivered, distributed, or dispensed, in conformance with s. 381.986, F.S., [the Compassionate Medical Cannabis Act of 2014], hemp as defined in s. 581.217, F.S., [the state hemp program], or industrial hemp as defined in s. 1004.4473, F.S., [industrial hemp pilot projects].⁵

Medical Marijuana

On November 4, 2016, Amendment 2 was approved by the electors and is codified in Article X, section 29, of the Florida Constitution. This section of the constitution became effective on January 3, 2017, and created several exemptions from criminal and civil liability for:

- Qualifying patients medically using marijuana in compliance with the amendment;
- Physicians, solely for issuing physician certifications with reasonable care and in compliance with the amendment; and
- Medical marijuana treatment centers (MMTCs), their agents, and employees for actions or conduct under the amendment and in compliance with rules promulgated by the Florida Department of Health.

Subsequently, the Legislature passed SB 8-A in Special Session A of 2017.⁶ The bill revised the Compassionate Medical Cannabis Act of 2014⁷ in s. 381.986, F.S., to implement Article X, section 29 of the Florida Constitution.

The term medical marijuana includes two distinct forms of the plant genus *Cannabis*:

- Marijuana without any limitation or restriction on the percentage of THC;⁸ and
- “Low-THC cannabis” in which the percentage of THC is limited to 0.8 percent or less and has more than 10 percent of cannabidiol⁹ weight for weight.¹⁰

The Coalition for Medical Marijuana Research and Education located at the H. Lee Moffitt Cancer Center and Research Institute, Inc., is authorized to conduct medical marijuana research and education.¹¹

MMTCs and qualified patients or caregivers are specifically exempt from the criminal prohibition against the possession of cannabis.¹²

⁵ Section 893.02(3), F.S.

⁶ Chapter 2017-232, Laws of Fla.

⁷ Chapter 2014-157, Laws of Fla.

⁸ THC, or tetrahydrocannabinol, is the main active ingredient in cannabis and is responsible for most of the psychological effects of cannabis.

⁹ Cannabidiol (CBD) is a chemical compound, known as a cannabinoid, found in cannabis. CBD does not have the same psychoactivity as THC. See Michael J Breus, *Despite What You May Think... CBD Is Not Weed* (Sept. 20, 2018), Psychology Today, available at: <https://www.psychologytoday.com/us/blog/sleep-newzzz/201809/despite-what-you-may-think-cbd-is-not-weed> (last visited March 12, 2025).

¹⁰ See s. 381.986(1)(e) and (f), F.S.

¹¹ Section 1004.4351, F.S.

¹² See s. 381.986(14), F.S.

2014 Federal Farm Bill and State Industrial Hemp Pilot Programs

The Agricultural Improvement Act of 2014 (2014 Farm Bill) defined industrial hemp and allowed state departments of agriculture or universities to grow and produce industrial hemp as part of research or pilot programs. Specifically, the law allowed universities and state departments of agriculture to grow or cultivate industrial hemp if:

- The industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and
- The growing or cultivating of industrial hemp is allowed under the laws of the state in which such institutions of higher education or state department of agriculture is located, and such research occurs.¹³

The 2014 Farm Bill defines “industrial hemp” to mean:

...the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.¹⁴

Section 1004.4473, F.S., authorizes the Florida Department of Agriculture and Consumer Services (department) to oversee the development of industrial hemp pilot projects for the Institute of Food and Agricultural Sciences (IFAS) at the University of Florida, Florida Agricultural and Mechanical University, any land grant university in the state that has a college of agriculture, and any Florida College System institution or state university that has an established agriculture, engineering, or pharmacy program.¹⁵ The purpose of the pilot projects is to cultivate, process, test, research, create, and market safe and effective commercial applications for industrial hemp in the agricultural sector in this state. The department has adopted a rule addressing safety, compliance, and accountability and other concerns.¹⁶

2018 Federal Farm Bill

In the Agricultural Improvement Act of 2018 (2018 Farm Bill), the U.S. Congress legalized industrial hemp as an agricultural product by removing hemp’s classification as a controlled substance.¹⁷ The 2018 Farm Bill defines “hemp” to mean:

...the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.¹⁸

¹³ Agricultural Improvement Act of 2014, Pub. L. No. 113-79, s. 7606, 128 Stat. 912 (2014) (codified at 7 U.S.C. s. 5940).

¹⁴ *Id.*

¹⁵ Section 1004.4473(2)(a), F.S.

¹⁶ Fla. Admin. Code R. 5B-57.013 (2018).

¹⁷ Agricultural Improvement Act of 2018, Pub. L. No. 115-334, s. 12619, 132 Stat. 409 (2018) (codified at 21 U.S.C 802(16)).

¹⁸ Agricultural Improvement Act of 2018, Pub. L. No. 115-334, s. 10113, 132 Stat. 409 (2018) (codified at 7 U.S.C. s. 1639o).

The 2018 Farm Bill allows a state department of agriculture or an Indian tribe to submit a plan to the United States Secretary of Agriculture and apply for primary regulatory authority over the production of hemp in their state or tribal territory. A state or tribal plan must include:

- A procedure for tracking land upon which hemp will be produced;
- Testing methods for determining THC concentration levels of hemp;
- Methods for effective disposal of noncompliant products;
- Enforcement procedures;
- Inspection procedures; and
- Certification procedures for the persons authorized to produce hemp producers, test hemp products, inspect hemp producers, and enforce the provisions of the state or tribal plan.¹⁹

State Hemp Program

The state hemp program was created within the Department of Agriculture and Consumer Services (department) to regulate the cultivation of hemp in Florida.²⁰

Section 581.217(3)(e), F.S., defines the term hemp to mean:

...the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof, and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers thereof, whether growing or not, that has a total delta-9-tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis, with the exemption of hemp extract, which may not exceed 0.3 percent total delta-9-tetrahydrocannabinol on a wet-weight basis.

Section 581.217(3)(f), F.S., defines the term “hemp extract” to mean “a substance or compound intended for ingestion, containing more than trace amounts of cannabinoid, or for inhalation which is derived from or contains hemp, and which does not contain other controlled substances.” The term does not include synthetic cannabidiol or seeds or seed-derived ingredients that are generally recognized as safe by the United States Food and Drug Administration.²¹ Products that are intended for inhalation and contain hemp extract may not be sold to a person who is under 21 years of age.²²

The department was required to seek federal approval of the state plan for the regulation of the cultivation of hemp with the United States Secretary of Agriculture (USDA) in accordance with the 2018 Farm Bill within 30 days of adopting rules.²³ A license is required to cultivate hemp²⁴ and to obtain a license, a person must apply to the department and submit a full set of fingerprints.²⁵ A person seeking to cultivate hemp must provide the department with a legal land

¹⁹ Agricultural Improvement Act of 2018, Pub. L. No. 115-334, s. 10113, 132 Stat. 409 (2018) (codified at 7 U.S.C. s. 1639p).

²⁰ See s. 581.217, F.S.

²¹ Section 581.219(3)(f), F.S.

²² Section 581.217(7)(d), F.S.

²³ Section 581.217(4), F.S.

²⁴ Section 581.217(5)(a), F.S.

²⁵ Section 581.217(5)(b), F.S.

description and GPS coordinates of where the hemp will be cultivated.²⁶ The department must deny an application under certain circumstances.²⁷

Distribution and Retail Sale of Hemp Extract

Hemp extract may only be distributed and sold if the product has a certificate of analysis prepared by an independent testing laboratory that states:

- The hemp extract is the product of a batch tested by the independent testing laboratory;
- The batch contained a total delta-9-tetrahydrocannabinol concentration that did not exceed 0.3 percent pursuant to the testing of a random sample of the batch;
- The batch does not contain contaminants unsafe for human consumption; and
- The batch was processed in a facility that meets certain human health or food safety requirements.²⁸

Additionally, hemp extract may only be distributed or sold in a container that includes:

- A scannable barcode or quick response code linked to the certificate of analysis of the hemp extract batch by an independent testing laboratory;
- The batch number;
- The Internet address of a website where batch information may be obtained;
- The expiration date; and
- The number of milligrams of each marketed cannabinoid per serving.²⁹

Such a container must:

- Be suitable to contain products for human consumption;
- Be composed of materials designed to minimize exposure to light;
- Mitigate exposure to high temperatures;
- Not be attractive to children; and³⁰
- Be compliant with the United States Poison Prevention Packaging Act of 1970.³¹

Certified Marijuana Testing Facilities

Section 381.988, F.S., requires the Department of Health (DOH) to certify testing laboratories for the testing of marijuana coming from Medical Marijuana Treatment Centers (MMTCs). MMTCs are required to use certified marijuana testing laboratories (CMTLs) to test their products to ensure that the products meet any potency requirements, are labeled accurately for concentrations of THC and CBD, are safe for human consumption, and are free from contaminants that are unsafe for human consumption.³² Section 381.988, F.S., requires DOH,

²⁶ Section 581.217(5)(d), F.S.

²⁷ Section 581.217(5)(e), F.S.

²⁸ Section 581.217(7)(a), F.S.

²⁹ Id.

³⁰ Section 581.217(3)(a), F.S., defines “attractive to children” to mean manufactured in the shape of humans, cartoons or animals; manufactured in a form that bears any reasonable resemblance to an existing candy product that is familiar to the public as a widely distributed, branded food product such that a product could be mistaken for the branded product, especially by children, or containing color additives.

³¹ Section 581.217(7)(a), F.S.

³² Section 381.986(8)(e)11.d., F.S.

with help from the Department of Agriculture and Consumer Services and the Department of Environmental Protection, to adopt minimum requirements in rule that a lab must meet in order to be certified to test marijuana for MMTCs. These rules are required to include:

- Security standards.
- Minimum standards for personnel.
- Sample collection method and process standards.
- Proficiency testing for tetrahydrocannabinol potency, concentration of cannabidiol, and contaminants unsafe for human consumption, as determined by department rule.
- Reporting content, format, and frequency.
- Audits and onsite inspections.
- Quality assurance.
- Equipment and methodology.
- Chain of custody.
- Any other standard the department deems necessary to ensure the health and safety of the public.

The rules governing CMTLs have been adopted through the DOH's emergency rulemaking authority³³ and establish significant criteria for CMTL operations and licensure.³⁴ Currently, there are eight CMTLs certified by the DOH.³⁵

Hemp in Beverages

THC-infused beverages have become a popular method of cannabis consumption that causes symptoms of intoxication such as drowsiness, relaxation, euphoria, and more.³⁶ THC-infused beverages have no standard dose of THC concentration, leading to ranges of 2mg to 200mg of THC per 8 to 8.5 ounce drink.³⁷ Due to the body's ability to rapidly absorb liquids, consumers of THC-infused drinks feel effects faster than other methods of THC consumption.³⁸

The Food and Drug Administration (FDA) does not approve of THC-infused beverages at the federal level; however, state regulation of THC-infused beverages vary. In Minnesota, THC beverages can be sold by sellers and in stores with proper registration and licensing with the

³³ The DOH is authorized, pursuant to ch. 2017-232, L.O.F., as most recently amended by ch. 2024-228, L.O.F., to adopt and maintain emergency rules to implement ss. 381.986 and 381.988, F.S. The emergency rules adopted pursuant to this authorization do not expire.

³⁴ For details on rules governing CMTLs see <https://knowthefactsmmj.com/rules-and-regulations/>, (last visited Mar. 12, 2025).

³⁵ See <https://knowthefactsmmj.com/cmtl/>, (last visited Mar. 12, 2025).

³⁶ Kelly Johnson-Arbor, MD, *What are Cannabis Drinks?*, Poison Control National Capital Poison Center, available at <https://www.poison.org/articles/what-are-cannabis-drinks> (last visited March 13, 2025)

³⁷ Julie Corliss, *Cannabis drinks: How do they compare to alcohol?*, Harvard Health Publishing-Harvard Medical School, (July 15, 2024), available at <https://www.health.harvard.edu/blog/cannabis-drinks-how-do-they-compare-to-alcohol-202407153058> (last visited March 13, 2025).

³⁸ *Id.*

state.³⁹ Other states that allow THC-infused beverages in licensed dispensaries include California,⁴⁰ Connecticut,⁴¹ and New Jersey.⁴²

Division of Alcoholic Beverages and Tobacco

The Division of Alcoholic Beverages and Tobacco (division) within the Department of Business and Professional Regulation administers and enforces⁴³ the Beverage Law,⁴⁴ which regulates the manufacture, distribution, and sale of wine, beer, and liquor.⁴⁵ The division is also responsible for the administration and enforcement of tobacco products under ch. 569, F.S.

“Alcoholic beverages” are defined in s. 561.01(4), F.S., as “distilled spirits and all beverages containing one-half of one percent or more alcohol by volume.”

“Intoxicating beverage” and “intoxicating liquor” are defined in s. 561.01(5), F.S., to mean only those alcoholic beverages containing more than 4.007 percent of alcohol by volume.

Section 561.14, F.S., specifies the license and registration classifications used in the Beverage Law:

- “Manufacturers” are those “licensed to manufacture alcoholic beverages and distribute the same at wholesale to licensed distributors and to no one else within the state, unless authorized by statute.”⁴⁶
- “Distributors” are those “licensed to sell and distribute alcoholic beverages at wholesale to persons who are licensed to sell alcoholic beverages.”⁴⁷
- “Importers” are those licensed to sell, or to cause to be sold, shipped, and invoiced, alcoholic beverages to licensed manufacturers or licensed distributors, and to no one else in this state, provided that ss. 564.045 and 565.095, F.S., relating to primary American source of supply licensure, are in no way violated by such imports.⁴⁸
- “Vendors” are those “licensed to sell alcoholic beverages at retail only” and who may not “purchase or acquire in any manner for the purpose of resale any alcoholic beverages from any person not licensed as a vendor, manufacturer, bottler, or distributor under the Beverage Law.”⁴⁹

Quota Licenses

Section 561.20(1), F.S., limits, by county, the number of alcoholic beverage licenses that may be issued for the sale of distilled spirits, to one license per 7,500 residents within the county. These

³⁹ Minnesota Office of Cannabis Management, *Frequently Asked Questions for Businesses*, available at <https://mn.gov/ocm/businesses/cannabinoid-products/business-faq.jsp> (last visited March 13, 2025).

⁴⁰ California Code, BPC 26001., California Code, BPC 26200.

⁴¹ Chapter 420i

⁴² Chapter 238

⁴³ Section 561.02, F.S.

⁴⁴ Section 561.01(6), F.S., provides that the “Beverage Law” means chs. 561, 562, 563, 564, 565, 567, and 568, F.S.

⁴⁵ See s. 561.14, F.S.

⁴⁶ Section 561.14(1), F.S.

⁴⁷ Section 561.14(2), F.S.

⁴⁸ Section 561.01(5), F.S.

⁴⁹ Section 561.14(3), F.S.

limited alcoholic beverage licenses are known as “quota” licenses. New quota licenses are created and issued when there is an increase in the population of a county. The licenses may also be issued when a county initially changes its status from a county that does not permit the sale of intoxicating liquor to one that permits such sale. The quota license is the only alcoholic beverage license that is limited in number; all other types of alcoholic beverage licenses are available without limitation.

There are several exceptions⁵⁰ to the limitation on the number of quota licenses per county, including an exception for food service establishments that have at least 2,200 square feet of service area, is equipped to serve 120 persons at one time, and derives at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages, during the first 60-day operating period and each 12-month operating period thereafter.⁵¹ This type of license is known as a “special restaurant license” or an “SRX license.”⁵² SRX licensees may not sell alcoholic beverages for sale off the premises, i.e., such licensees may not make package sales.

Section 565.02(1)(a)-(g), F.S., provides the license fees for vendors licensed to sell beer, wine, and liquor, including for consumption on the premises and for consumption off the premises.

Three-Tier System

In the United States, the regulation of alcohol since the repeal of Prohibition has traditionally been based upon a “three-tier system.” The system requires separation of the manufacture, distribution, and retail sale of alcoholic beverages by vendors. The manufacturer creates the beverages, and the distributor obtains the beverages from the manufacturer to deliver to the vendor. The vendor makes the ultimate sale to the consumer.⁵³ A manufacturer, distributor, or exporter may not be licensed as a vendor to sell directly to consumers.⁵⁴

Generally, in Florida, only licensed vendors are permitted to sell alcoholic beverages directly to consumers at retail.⁵⁵ Licensed manufacturers, distributors, and registered exporters are prohibited from also being licensed as vendors.⁵⁶ Manufacturers are also generally prohibited from having an interest in a vendor and from distributing directly to a vendor.⁵⁷

⁵⁰ See ss. 561.20(2) and 565.02(2)-(10), F.S.

⁵¹ Section 561.20(2)(a)4., F.S. The required square footage and number of persons the restaurant must be equipped to serve may be different for county or municipality jurisdiction due to special acts enacted by the Legislature that affect these requirements for the county or municipality. For a list of the special act requirements for counties and municipalities, including the applicable act in the Laws of Florida, see: Division of Alcoholic Beverages and Tobacco, *General Laws of Local Application and Special Acts*, available at www.myfloridalicense.com/dbpr/abt/documents/GENLAWS.pdf (last visited March 12, 2025).

⁵² The division has re-designated the “SRX” license to an “SFS” license or “Special Food Service Establishment” license. However, these licenses are still commonly known as “SRX” licenses.

⁵³ Section 561.14, F.S.

⁵⁴ Section 561.22(1), F.S.

⁵⁵ Section 561.14(3), F.S. However, see the exceptions provided in ss. 561.221 and 565.03, F.S.

⁵⁶ Section 561.22, F.S.

⁵⁷ Sections 563.022(14) and 561.14(1), F.S.

Exceptions to the three-tier regulatory system permit in-state wineries,⁵⁸ breweries,⁵⁹ and craft distilleries to sell directly to consumers.⁶⁰ Restaurants licensed as vendors (brew pubs) may manufacture a limited quantity of malt beverages and sell directly to consumers for consumption on the licensed premises of the restaurant.⁶¹

A winery, even if licensed as a distributor,⁶² may be licensed as a vendor for a licensed premises situated on property contiguous to the manufacturing premises of the winery. A winery may not be issued more than three vendor licenses.⁶³

Tied House Evil Prohibitions

States have enacted statutes designed to prevent or limit the control of retail alcoholic beverage vendors by manufacturers, wholesalers, and importers, or to prohibit "tied-house arrangements." Such legislation is referred to as "tied house" or "tied house evil" statutes.⁶⁴

Section 561.42, F.S., Florida's "tied house evil" statute, regulates the permitted and prohibited relationships and interactions of manufacturers and distributors with vendors in order to prevent a manufacturer or distributor from having a financial interest, directly or indirectly, in the establishment or business of a licensed vendor, and to prevent a manufacturer or distributor from giving a vendor gifts, loans, property, or rebates.⁶⁵ The prohibitions also apply to an importer, primary American source of supply,⁶⁶ brand owner or registrant, broker, and sales agent (or sales person thereof).

The tied house evil statute also prohibits any distributor or vendor from receiving any financial incentives from any manufacturer. It further prohibits manufacturers or distributors from assisting retail vendors through gifts, loans of money, property, or by the giving of rebates.

III. Effect of Proposed Changes:

Testing of Hemp Extract

The bill amends s. 381, 988, F.S., which relates to medical marijuana testing laboratories (MMTLs). It permits MMTLs to acquire hemp and hemp extract only from a business licensed under the state hemp program and prohibits the MMTL from selling, distributing, or transferring hemp or hemp extract received from such a business. An MMTL must keep marijuana received from a medical marijuana treatment center (MMTC) separated from hemp or hemp extract.

⁵⁸ See s. 561.221(1), F.S.

⁵⁹ See s. 561.221(2), F.S.

⁶⁰ See ss. 565.02(12) and 565.03, F.S.

⁶¹ See s. 561.221(3), F.S.

⁶² Section 561.14(1), F.S., permits manufacturers to distribute at wholesale to licensed distributors and to no one else within the state, unless authorized by statute.

⁶³ See s. 561.221(1), F.S.

⁶⁴ 45 AM. JUR. 2d *Intoxicating Liquors*, s. 94 (2017).

⁶⁵ Section 561.42(1), F.S.

⁶⁶ See s. 564.045, F.S.

Definitions

The bill modifies the definition of “attractive to children” to include containers displaying toys or other features that target children and include products manufactured in a form or packaged in a container that bears any reasonable resemblance to a branded food product such that the product could be mistaken for the branded food product, especially by children.

The bill defines “certified marijuana testing laboratory” (CMTL) to mean a laboratory that is certified by the Department of Health pursuant to s. 381.988, F.S. It modifies the definition of “hemp” to provide that it does not exceed 5 milligrams per servings and 50 milligrams per container on a wet-weight basis, whichever is less, except that a THC-infused beverage may not contain more than 5 milligrams per unopened can or bottle or in any other sealed container.

The bill revises the definition of “hemp extract” to prohibit it from containing synthetic or naturally occurring versions of controlled substances listed in s. 893.03, F.S., such as delta-8-tetrahydrocannabinol, delta-10-tetrahydrocannabinol, hexahydrocannabinol, tetrahydrocannabinol acetate, tetrahydrocannabiphorol, and tetrahydrocannabivarin. It also creates a definition for “total delta-9-tetrahydrocannabinol concentration” to mean a concentration calculated as: $[\text{delta-9-tetrahydrocannabinol}] + (0.877 \times [\text{delta-9-tetrahydrocannabinolic acid}])$.

The bill defines “THC-infused beverage” to mean a soft drink, soda, juice, tea, or other beverage intended for ingestion which contains hemp extract in an amount not to exceed 5 milligrams per unopened can or bottle or in any other sealed container. It also deletes the definition of “independent testing laboratory.”

Distribution and Retail Sale of Hemp Extract

The bill amends requirements for the distribution and retail sale of hemp extract, specifying the product must meet all of the requirements. The product must comply with the new testing requirements described below and updates the statute to reflect the change from an independent testing laboratory to a CMTL. It also requires such products to be sold in a container that includes the toll-free telephone number for the national Poison Control Help line.

Except as required for the retail sale of THC-infused beverages, the bill clarifies that hemp extract may only be sold to *or procured by* a business in this state if that business is properly permitted. A business or food establishment may not possess hemp extract products that are attractive to children. Unpermitted business sales, street sales, or festival sales are prohibited. A business or food establishment permitted to sell hemp or hemp extract may not be located within 500 feet of a school or daycare facility, a retail outlet engaged in the business of selling motor fuel, or a retail facility permitted to sell hemp or hemp extract.

Businesses and food establishments permitted to sell hemp or hemp extract may not advertise the availability of such products in a manner that is visible to members of the public from any street, sidewalk, park, or other public place. A business or food establishment permitted to sell hemp extract may not use a trade name, logo, or advertising that contains wording or images that are attractive to children; that implies that such products confer health or medical benefits that are

unsubstantiated; or that suggests that the business or food establishment is affiliated with a medical office or other health care facility. Advertising may not use the term “THC” or “medical card” or similar terms.

Businesses and food establishments permitted to sell hemp or hemp extract shall keep records pertaining to lab testing results and the suppliers of hemp extract products for a minimum of 3 years and shall have procedures in place to effect a recall of any hemp extract later determined to be unsafe for human consumption. Businesses shall store all such products out of reach of customers, either in a controlled area accessible only to employees or in a locked display case excluding hemp-infused beverages.

The bill prohibits the department from granting permission to remove or use, except for disposal, hemp extract products subject to a stop-sale order which are attractive to children until the department determines that the hemp extract products comply with state law.

The bill prohibits an event organizer from promoting, advertising, or facilitating an event where:

- Hemp extract products that do not comply with general law, including hemp extract products that are not from an approved source are sold or marketed; or
- Hemp extract products are sold or marketed by businesses that are not properly permitted by this section and chapter 500.

Before an event where hemp extract products are sold or marketed, an event organizer must provide the department with a list of the businesses selling or marketing hemp extract products at the event and verify that each business is only selling hemp products from an approved source. The event organizer must ensure that each participating business is properly permitted.

Testing

The bill requires hemp extract to be tested using a CMTL before it can be sold in this state. Test results must be verified and signed by two laboratory employees. The CMTL must determine whether the test results indicate that the product meets the definition of hemp and hemp extract, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and the product is free from contaminants unsafe for human consumption. The bill directs the department to create procedures for the treatment of hemp extract that fails to meet the testing requirements of this section or department rule.

The department may select and test samples of hemp extract from a retail store, hemp distributor, or hemp cultivator to determine whether the product meets the requirements of this section, is safe for human consumption, and is accurately labeled. A retail store must recall hemp extract that fails to meet the requirements of this section, is unsafe for human consumption, or is mislabeled.

The independent testing laboratory must retain records of all testing and samples of each batch of hemp extract for 9 months.

Sale of THC-Infused Beverages

The bill prohibits the retail sale of THC-infused beverages at a location other than premises licensed to sell alcoholic beverages under s. 565.02(1)(a)-(g), F.S. THC-infused beverages may not contain alcoholic beverages as defined in s. 561.01(4), F.S., or intoxicating beverages as defined in s. 561.01(5), F.S.

THC-infused beverages may only be distributed in this state by a distributor licensed under the Beverage Law, as described in s. 561.14(2), F.S. A distributor of THC-infused beverages may not:

- Assist any retail vendor by any gift or loan of money or property of any description, including equipment, fixtures, or furnishings.
- Sell or provide THC-infused beverages to a retail vendor who does not hold an active permit required under the state hemp law.
- Make consignment sales to retail vendors of THC-infused beverages, including any right of return or exchange because the product is over-stocked or slow-moving.
- Give a retailer of THC-infused beverages anything of value to promote THC-infused beverages, or to provide shelf space or floor space to promote THC-infused beverages.

A retail vendor of THC-infused beverages may not attempt to return or exchange to a distributor any THC-infused beverage because the product is over-stocked or slow moving. A person regulated under the Beverage Law who possesses, delivers, holds, offers for sale, or distributes THC-infused beverages is subject to discipline under s. 561.29, F.S., and such beverages are subject to s. 500.172, F.S. A person who violates this subsection is subject to an administrative fine in the Class III category under s. 570.971, F.S., for each violation.

Appropriation

For the 2025-2026 fiscal year, the bill appropriates the sum of \$2 million in nonrecurring funds from the General Revenue Fund to the Department of Law Enforcement for the purchase of testing equipment necessary to implement the bill.

The bill takes effect October 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

There are additional requirements for businesses that manufacture, distribute, or sell products containing hemp extract or THC-infused beverages. Event organizers have additional requirements to ensure businesses participating in the event meet certain requirements.

C. Government Sector Impact:

The department could incur increased costs to ensure compliance with the changes set forth in the bill.

The Florida Department of Law Enforcement estimates the bill will have a total fiscal impact on their department of \$1,068,725, of which \$98,028 is nonrecurring. This is mostly for Salaries and Benefits, Contracted Services, and Expenses.⁶⁷

For the 2025-2026 fiscal year, the sum of \$2 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Law Enforcement for the purchase of testing equipment necessary to implement the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 381.988 and 581.217 of the Florida Statutes. This bill reenacts section 500.03 of the Florida Statutes.

⁶⁷ Florida Department of Law Enforcement Agency Analysis on file with the Senate Agriculture Committee.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Agriculture on March 17, 2025:

The committee substitute clarifies that the batch of hemp extract to be tested is the final batch. The CS also corrects a reference to the testing laboratory.

- B. **Amendments:**

None.

By the Committee on Agriculture; and Senators Burton and Davis

575-02504-25

2025438c1

1 A bill to be entitled
 2 An act relating to food and hemp products; amending s.
 3 381.988, F.S.; providing that a marijuana testing
 4 laboratory may acquire hemp and hemp extract only from
 5 certain businesses; prohibiting a marijuana testing
 6 laboratory from selling, distributing, or transferring
 7 hemp or hemp extract from certain businesses;
 8 requiring a marijuana testing laboratory to separate
 9 marijuana received from certain entities from hemp or
 10 hemp extract received from certain entities; amending
 11 s. 581.217, F.S.; revising legislative findings;
 12 revising definitions; defining terms; revising
 13 requirements for the sale and distribution of hemp
 14 extract; deleting provisions related to the
 15 distribution and sale of hemp extract; providing an
 16 exception; prohibiting businesses or food
 17 establishments from possessing hemp or hemp extract
 18 products that are attractive to children; prohibiting
 19 unpermitted business sales, street sales, or festival
 20 sales of hemp extract; prohibiting a business
 21 permitted to sell hemp or hemp extract from being
 22 located in certain areas; providing requirements for
 23 businesses permitted to sell hemp or hemp extract;
 24 including THC-infused beverages in the list of
 25 products prohibited for sale to a person under 21
 26 years of age; providing a penalty for hemp extract
 27 possessed, manufactured, delivered, held, offered for
 28 sale, distributed, or sold by certain entities in
 29 violation of specified provisions; prohibiting the

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30 Department of Agriculture and Consumer Services from
 31 granting permission to remove or use certain hemp
 32 extract products until it has determined that such
 33 hemp extract products comply with state law;
 34 prohibiting event organizers from promoting,
 35 advertising, or facilitating certain events; requiring
 36 organizers of certain events to provide a list of
 37 certain vendors to the department, verify that such
 38 vendors are selling hemp products only from approved
 39 sources, and ensure that such vendors are properly
 40 permitted; providing for administrative fines;
 41 requiring that each final batch of hemp extract be
 42 tested in a certified marijuana testing laboratory
 43 before it may be sold in this state; providing
 44 construction; requiring the department to create
 45 procedures for the testing of hemp extract that fails
 46 to meet specified requirements; authorizing the
 47 department to select and test samples of hemp extract
 48 from a retail store, hemp distributor, or hemp
 49 cultivator for certain purposes; requiring retail
 50 stores to recall hemp extract that fails to meet
 51 specified requirements; requiring that a certified
 52 marijuana testing laboratory retain records of each
 53 final batch of tested and sampled hemp extract for a
 54 specified timeframe; prohibiting the retail sale of
 55 THC-infused beverages at certain locations;
 56 prohibiting THC-infused beverages from containing
 57 alcoholic or intoxicating beverages; providing that
 58 THC-infused beverages may be distributed only by

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59 certain distributors; prohibiting distributors of THC-
 60 infused beverages from taking certain actions;
 61 prohibiting a retail vendor of THC-infused beverages
 62 from purchasing or obtaining such beverages from a
 63 person not licensed as a distributor; prohibiting a
 64 retail vendor of THC-infused beverages from attempting
 65 to return or exchange a THC-infused beverage under
 66 certain circumstances; providing for administrative
 67 fines; providing an appropriation; reenacting s.
 68 500.03(1)(n), F.S., relating to definitions, to
 69 incorporate the amendment made to s. 581.217, F.S., in
 70 references thereto; providing an effective date.

71
 72 Be It Enacted by the Legislature of the State of Florida:

73
 74 Section 1. Subsection (4) of section 381.988, Florida
 75 Statutes, is amended to read:

76 381.988 Medical marijuana testing laboratories; marijuana
 77 tests conducted by a certified laboratory.—

78 (4) A marijuana testing laboratory may acquire marijuana
 79 only from a medical marijuana treatment center and may acquire
 80 hemp and hemp extract only from a business that is licensed or
 81 permitted under s. 581.217. A marijuana testing laboratory is
 82 prohibited from selling, distributing, or transferring marijuana
 83 received from a marijuana treatment center, or hemp or hemp
 84 extract received from a business licensed or permitted under s.
 85 581.217, except that a marijuana testing laboratory may transfer
 86 a sample to another marijuana testing laboratory in this state.
 87 A marijuana test laboratory must keep marijuana received from a

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88 medical marijuana treatment center separated from hemp or hemp
 89 extract received from a business that is licensed or permitted
 90 under s. 581.217.

91 Section 2. Present subsections (8) through (13) of section
 92 581.217, Florida Statutes, are redesignated as subsections (10)
 93 through (15), respectively, present paragraphs (b) through (f)
 94 of subsection (3) are redesignated as paragraphs (c) through
 95 (g), respectively, new subsections (8) and (9) are added to that
 96 section, new paragraphs (b) and (i) are added to subsection (3)
 97 of that section, and paragraph (b) of subsection (2), present
 98 paragraphs (a), (e), (f), and (g) of subsection (3), subsection
 99 (7), and paragraph (c) of present subsection (13) of that
 100 section are amended to read:

101 581.217 State hemp program.—

102 (2) LEGISLATIVE FINDINGS.—The Legislature finds that:

103 (b) Hemp and hemp extract ~~Hemp-derived cannabinoids,~~
 104 ~~including, but not limited to, cannabidiol,~~ are not controlled
 105 substances ~~or adulterants if they are in compliance with this~~
 106 ~~section.~~

107 (3) DEFINITIONS.—As used in this section, the term:

108 (a) "Attractive to children" means manufactured in the
 109 shape of or packaged in containers displaying humans, cartoons,
 110 ~~or~~ animals, toys, or other features that target children;
 111 manufactured in a form or packaged in a container that bears any
 112 reasonable resemblance to an existing candy or snack product
 113 that is familiar to the public; manufactured in a form or
 114 packaged in a container that bears any reasonable resemblance to
 115 a as a widely distributed, branded food product such that the a
 116 product could be mistaken for the branded food product,

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117 especially by children; or containing any color additives.

118 (b) "Certified marijuana testing laboratory" means a
 119 laboratory that is certified by the Department of Health
 120 pursuant to s. 381.988.

121 (f)(e) "Hemp" means the plant *Cannabis sativa* L. and any
 122 part of that plant, including the seeds thereof, and all
 123 derivatives, extracts, cannabinoids, isomers, acids, salts, and
 124 salts of isomers thereof, whether growing or not, that has a
 125 total delta-9-tetrahydrocannabinol concentration that does not
 126 exceed 0.3 percent on a dry-weight basis, with the exception of
 127 hemp extract, which may not exceed 0.3 percent total delta-9-
 128 tetrahydrocannabinol concentration on a wet-weight basis or
 129 which does not exceed 5 milligrams per serving and 50 milligrams
 130 per container on a wet-weight basis, whichever is less, except
 131 that a THC-infused beverage may not contain more than 5
 132 milligrams per unopened can or bottle or in any other sealed
 133 container.

134 (g)(f) "Hemp extract" means hemp that is a substance or
 135 ~~compound~~ intended for ingestion or inhalation and that contains,
 136 ~~containing~~ more than trace amounts of a cannabinoid but, or for
 137 ~~inhalation which is derived from or contains hemp and which~~ does
 138 not contain controlled substances listed in s. 893.03; any
 139 quantity of synthetic cannabinoids; or delta-8-
 140 tetrahydrocannabinol, delta-10-tetrahydrocannabinol,
 141 hexahydrocannabinol, tetrahydrocannabinol acetate,
 142 tetrahydrocannabiphorol, or tetrahydrocannabivarin. The term
 143 does not include synthetic cannabidiol or seeds or seed-derived
 144 ingredients that are generally recognized as safe by the United
 145 States Food and Drug Administration.

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146 (h)(g) "THC-infused beverage" means a soft drink, soda,
 147 juice, tea, or other beverage intended for ingestion which
 148 contains hemp extract in an amount not to exceed 5 milligrams
 149 per unopened can or bottle or in any other sealed container
 150 "Independent testing laboratory" means a laboratory that:

151 1. ~~Does not have a direct or indirect interest in the~~
 152 ~~entity whose product is being tested;~~

153 2. ~~Does not have a direct or indirect interest in a~~
 154 ~~facility that cultivates, processes, distributes, dispenses, or~~
 155 ~~sells hemp or hemp extract in the state or in another~~
 156 ~~jurisdiction or cultivates, processes, distributes, dispenses,~~
 157 ~~or sells marijuana, as defined in s. 381.986; and~~

158 3. ~~Is accredited by a third-party accrediting body as a~~
 159 ~~competent testing laboratory pursuant to ISO/IEC 17025 of the~~
 160 ~~International Organization for Standardization.~~

161 (i) "Total delta-9-tetrahydrocannabinol concentration"
 162 means a concentration calculated as follows: [delta-9-
 163 tetrahydrocannabinol] + (0.877 x [delta-9-tetrahydrocannabinolic
 164 acid]).

165 (7) DISTRIBUTION AND RETAIL SALE OF HEMP EXTRACT.—

166 (a) Hemp extract may only be distributed and sold in this
 167 the state if the product meets all of the following
 168 requirements:

169 1. Is in compliance with the testing requirements set forth
 170 in subsection (8). ~~Has a certificate of analysis prepared by an~~
 171 ~~independent testing laboratory that states:~~

172 ~~a. The hemp extract is the product of a batch tested by the~~
 173 ~~independent testing laboratory;~~

174 ~~b. The batch contained a total delta-9-tetrahydrocannabinol~~

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175 concentration that did not exceed 0.3 percent pursuant to the
 176 testing of a random sample of the batch;

177 ~~e. The batch does not contain contaminants unsafe for human~~
 178 ~~consumption; and~~

179 ~~2.d.~~ The batch was processed in a facility that holds a
 180 current and valid permit issued by a human health or food safety
 181 regulatory entity with authority over the facility, and that
 182 facility meets the human health or food safety sanitization
 183 requirements of the regulatory entity. Such compliance must be
 184 documented by a report from the regulatory entity confirming
 185 that the facility meets such requirements.

186 ~~3.2.~~ Is distributed or sold in a container that includes:

187 a. A scannable barcode or quick response code linked to the
 188 certificate of analysis of the final hemp extract batch by a
 189 certified marijuana an independent testing laboratory;

190 b. The batch number;

191 c. The Internet address of a website where batch
 192 information may be obtained;

193 d. The expiration date; ~~and~~

194 e. The number of milligrams of each marketed cannabinoid
 195 per serving; and

196 f. The toll-free telephone number for the national Poison
 197 Help line.

198 ~~4.3.~~ Is distributed or sold in a container that:

199 a. Is suitable to contain products for human consumption;

200 b. Is composed of materials designed to minimize exposure
 201 to light;

202 c. Mitigates exposure to high temperatures;

203 d. Is not attractive to children; and

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204 e. Is compliant with the United States Poison Prevention
 205 Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq., without
 206 regard to provided exemptions.

207 (b) Except as required under this section for the retail
 208 sale of THC-infused beverages, hemp extract may only be sold to
 209 or procured by a business in this state if that business is
 210 properly permitted as required by chapter 500 this section. A
 211 business or food establishment may not possess hemp or hemp
 212 extract products that are attractive to children. Unpermitted
 213 business sales, street sales, or festival sales are not allowed.
 214 A business or food establishment permitted to sell hemp or hemp
 215 extract may not be located within 500 feet of a school or day
 216 care facility, a retail outlet engaged in the business of
 217 selling motor fuel, or a retail facility in possession of a
 218 valid permit to sell hemp or hemp extract. Businesses and food
 219 establishments permitted to sell hemp or hemp extract:

220 1. May not advertise the availability of such products in a
 221 manner that is visible to members of the public from any street,
 222 sidewalk, park, or other public place. A business or food
 223 establishment permitted to sell hemp extract may not use a trade
 224 name, a logo, or advertising that contains wording or images
 225 that are attractive to children; that implies that such products
 226 confer health or medical benefits that are unsubstantiated; or
 227 that suggests that the business or food establishment is
 228 affiliated with a medical office or other health care facility.
 229 Advertising may not use the terms "THC" or "medical card" or
 230 similar terms.

231 2. Shall keep records pertaining to lab testing results and
 232 the suppliers of hemp extract products for a minimum of 3 years

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233 and shall have procedures in place to effect a recall of any
 234 hemp extract later determined to be unsafe for human
 235 consumption.

236 3. Shall store all such products out of reach of customers,
 237 either in a controlled area accessible only to employees or in a
 238 locked display case, excluding hemp-infused beverages.

239 (c) Hemp extract distributed or sold in this state is
 240 subject to the applicable requirements of chapter 500, chapter
 241 502, or chapter 580.

242 (d) Products that are intended for human ingestion or
 243 inhalation and that contain hemp extract, including, but not
 244 limited to, THC-infused beverages, snuff, chewing gum, and other
 245 smokeless products, may not be sold in this state to a person
 246 who is under 21 years of age. A person who violates this
 247 paragraph commits a misdemeanor of the second degree, punishable
 248 as provided in s. 775.082 or s. 775.083. A person who commits a
 249 second or subsequent violation of this paragraph within 1 year
 250 after the initial violation commits a misdemeanor of the first
 251 degree, punishable as provided in s. 775.082 or s. 775.083.

252 (e) Hemp extract possessed, manufactured, delivered, held,
 253 offered for sale, distributed, or sold in violation of this
 254 subsection by an entity regulated under chapter 500 is subject
 255 to s. 500.172 and penalties as provided in s. 500.121. Hemp
 256 extract products found to be mislabeled or attractive to
 257 children are subject to an immediate stop-sale order. The
 258 department may not grant permission to remove or use, except for
 259 disposal, hemp extract products subject to a stop-sale order
 260 which are attractive to children until the department has
 261 determined that the hemp extract products comply with state law.

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262 (f)1. An event organizer may not promote, advertise, or
 263 facilitate an event where:

264 a. Hemp extract products that do not comply with general
 265 law, including hemp extract products that are not from an
 266 approved source as provided in sub-subparagraph (a)2., are sold
 267 or marketed; or

268 b. Hemp extract products are sold or marketed by businesses
 269 that are not properly permitted as required by this section and
 270 chapter 500.

271 2. Before an event where hemp extract products are sold or
 272 marketed, an event organizer must provide to the department a
 273 list of the businesses selling or marketing hemp extract
 274 products at the event and verify that each business is selling
 275 hemp products only from an approved source. The event organizer
 276 must ensure that each participating business is properly
 277 permitted as required by this section and chapter 500.

278 3. A person who violates this paragraph is subject to an
 279 administrative fine in the Class III category under s. 570.971
 280 for each violation.

281 (8) TESTING.—

282 (a) Each final batch of hemp extract must be tested using a
 283 certified marijuana testing laboratory before it may be sold in
 284 this state. Test results must be verified and signed by two
 285 laboratory employees. The certified marijuana testing laboratory
 286 must determine whether the test results indicate that the
 287 product meets the definition of hemp and hemp extract, the
 288 labeling of the concentration of tetrahydrocannabinol and
 289 cannabidiol is accurate, and the product is free from
 290 contaminants that are unsafe for human consumption.

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291 (b) The department shall create procedures for the
 292 treatment of hemp extract that fails to meet the testing
 293 requirements of this section or department rule.
 294 (c) The department may select and test samples of hemp
 295 extract from a retail store, hemp distributor, or hemp
 296 cultivator to determine whether the product meets the
 297 requirements of this section, is safe for human consumption, and
 298 is accurately labeled.
 299 (d) A retail store must recall hemp extract that fails to
 300 meet the requirements of this section, is unsafe for human
 301 consumption, or is mislabeled.
 302 (e) The certified marijuana testing laboratory must retain
 303 records of all testing and samples of each final batch of hemp
 304 extract for 9 months.
 305 (9) SALE OF THC-INFUSED BEVERAGES.—
 306 (a) It is unlawful to sell, at retail, THC-infused
 307 beverages at a location other than premises licensed to sell
 308 alcoholic beverages under s. 565.02(1)(a)-(g). THC-infused
 309 beverages may not contain alcoholic beverages or intoxicating
 310 beverages as defined in s. 561.01(4) and (5), respectively.
 311 (b) THC-infused beverages may only be distributed in this
 312 state by a distributor licensed under the Beverage law, as
 313 described in s. 561.14(2). A distributor of THC-infused
 314 beverages may not:
 315 1. Assist any retail vendor by any gift or loan of money or
 316 property of any description, including equipment, fixtures, or
 317 furnishings.
 318 2. Sell or provide THC-infused beverages to a retail vendor
 319 who does not hold an active permit required under paragraph

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320 (7)(b).
 321 3. Make consignment sales to retail vendors of THC-infused
 322 beverages, including any right of return or exchange because the
 323 product is over-stocked or slow-moving.
 324 4. Give a retailer of THC-infused beverages anything of
 325 value to promote THC-infused beverages, or to provide shelf
 326 space or floor space to stock or promote THC-infused beverages.
 327 (c) A retail vendor of THC-infused beverages may not
 328 purchase or otherwise obtain such beverages from a person not
 329 licensed as a distributor licensed under the Beverage Law as
 330 described in s. 561.14(2).
 331 (d) A retail vendor of THC-infused beverages may not
 332 attempt to return or exchange to a distributor any THC-infused
 333 beverage because the product is over-stocked or slow-moving.
 334 (e) A person regulated under the Beverage Law who
 335 possesses, delivers, holds, offers for sale, or distributes THC-
 336 infused beverages is subject to discipline under s. 561.29, and
 337 such beverages are subject to s. 500.172. A person who violates
 338 this subsection is subject to an administrative fine in the
 339 Class III category under s. 570.971 for each violation.
 340 ~~(15)-(13)~~ APPLICABILITY.—Notwithstanding any other law:
 341 (c) A licensee who negligently violates this section or
 342 department rules is not subject to any criminal or civil
 343 enforcement action by the state or a local government other than
 344 the enforcement of violations of this section as authorized
 345 under subsection ~~(12)~~ ~~(10)~~.
 346 Section 3. For the 2025-2026 fiscal year, the sum of \$2
 347 million in nonrecurring funds is appropriated from the General
 348 Revenue Fund to the Department of Law Enforcement for the

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349 purchase of testing equipment necessary to implement this act.

350 Section 4. For the purpose of incorporating the amendment
351 made by this act to section 581.217, Florida Statutes, in a
352 reference thereto, paragraph (n) of subsection (1) of section
353 500.03, Florida Statutes, is reenacted to read:

354 500.03 Definitions; construction; applicability.—

355 (1) For the purpose of this chapter, the term:

356 (n) "Food" includes:

- 357 1. Articles used for food or drink for human consumption;
- 358 2. Chewing gum;
- 359 3. Articles used for components of any such article;
- 360 4. Articles for which health claims are made, which claims
361 are approved by the Secretary of the United States Department of
362 Health and Human Services and which claims are made in
363 accordance with s. 343(r) of the federal act, and which are not
364 considered drugs solely because their labels or labeling contain
365 health claims;
- 366 5. Dietary supplements as defined in 21 U.S.C. s.
367 321(ff)(1) and (2); and
- 368 6. Hemp extract as defined in s. 581.217.

369

370 The term includes any raw, cooked, or processed edible
371 substance; ice; any beverage; or any ingredient used, intended
372 for use, or sold for human consumption.

373 Section 5. This act shall take effect October 1, 2025.

3/27/2025

The Florida Senate
APPEARANCE RECORD

438

Meeting Date

Deliver both copies of this form to
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Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Gary Eisenstein

Phone

786 353 8221

Address

415 Shepherd St

Email

Gary Eisenstein@gmail.com

Street

Tallahassee

FL

32303

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate

MARON 27 2025

APPEARANCE RECORD

SB 438

Meeting Date

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Bill Number or Topic

FISCAL POLICY

Committee

Amendment Barcode (if applicable)

Name

RICHARD WEST

Phone

863 673 3215

Address

5063 SE TRADEWINDS CIR

Email

rwjwest0451@embargo@mail.com

Street

LABELLE

FL

33935

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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APPEARANCE RECORD

SB 438

3/27/25

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Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Allie McNair

Phone 8505661979

Address 2167 Mahan Dr.

Email amcnair@flsheriffs.org

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Sheriffs Association

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

3-27-25

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438

Meeting Date

Fiscal Policy

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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name James Alfred

Phone 601-209-5667

Address 2750 Eagle Ave N
Street

Email Jamesa@greatbay.com

St. Petersburg FL 33716
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

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Meeting Date

SB 438

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Greg McLeod - Pepin Distributing Phone

Address 4121 N. 50th St. Street

Email gmcleod@teampopin.com

Tampa City

FL State

33610 Zip

Speaking: [X] For [] Against [] Information OR Waive Speaking: [X] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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Meeting Date

SB 438

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Andrea Saputo - Gold Coast Eagle Dist Phone 941 356 0671

Address 7051 Wireless Ct Email andrea.saputo@

Street

gcoast.com

Sarasota FL 34240

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3-27-25

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438

Bill Number or Topic

Fiscal Policy
Committee

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Amendment Barcode (if applicable)

Name Natalie King Phone 813 924 8218

Address 235 W Brandon Blvd #040 Email natalie@teanusa.com

Street

Brandon FL 33584
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Picco Beverages/Triple

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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The Florida Senate

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3.27.25

Meeting Date

SB 438

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Jared Ross

Phone

(850) 224-2337

Address

215 S. Monroe St. Ste. 340

Email

jared@fbwa.com

Street

Tallahassee

State

FL

Zip

32301

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Beer Wholesalers Association

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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FP

Committee

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Amendment Barcode (if applicable)

Name Michael Smith

Phone 203 885 5283

Address 6848 22nd Ave N

Email Michael@HerbivFlow.ca

Street

St. Petersburg FL

33701

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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SB 438

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Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name SCOTT ASHLEY

Phone (850) 321-4261

Address 215 S. MONROE ST. # 705

Email Scott@wsdflorida.com

Street

TALLAH.

City

FL

State

32301

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

WINE & SPIRITS DISTRIBUTORS OF FLORIDA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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CS/SB 438
Bill Number or Topic

3/27/2025
Meeting Date

Fiscal policy
Committee

Amendment Barcode (if applicable)

Name Michael Pool Phone 239 290 4045

Address 3109 W. Lemon St. Email Pool309@gmail.com
Street

Tampa FL 33609
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

- I am appearing without compensation or sponsorship.
- I am a registered lobbyist, representing:
- I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate
APPEARANCE RECORD

CS/SB 438 help

Meeting Date

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Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Jessica Spencer

Phone

813 213 0000

Address

PO Box 682

Email

djessicaspencer@gmail.com

Street

Lithia

FL

33547

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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03/27/25

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SB 438

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Committee

Amendment Barcode (if applicable)

Name William Clark / Libertarian Party of Florida

Phone 850-590-0023

Address 1041 Drake Acres Road

Email ptcdale@gmail.com

Street

Quincy

FL

32351

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

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SB 438

Bill Number or Topic

3/27/25
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Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Melissa Villar

Phone (850) 354-1636

Address PO Box 11254
Street

Email melissav@thccin.tally.org

~~PO Box 112~~ TLHF 32302
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

The Holistic Cannabis Community

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

The Florida Senate

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3-27-24

Meeting Date

SIB 438

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Jack Sherriv

Phone (980) 259-1988

Address 2100 South Blvd

Street

Email Jack@drinkdelta.com

Charlotte

City

NC

State

28203

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Delta Beverages

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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Bill Number or Topic

Amendment Barcode (if applicable)

3/27/25

Meeting Date

Fiscal Policy

Committee

Name

Alex Petrucci

Phone

850-294-4631

Address

220 W Tennessee St

Email

alex@FloridahempDistribution.com

Street

Tallahassee

City

FL

State

32301

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. § 11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Committee

Amendment Barcode (if applicable)

Name James Johnston

Phone 386-984-7480

Address 1135 Grandview Lake City FL
Street

Email jhjohnston@gmail.com

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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Bill Number or Topic

FISCAL Policy

Committee

Amendment Barcode (if applicable)

Name Scott Dick

Phone 850 545-4526

Address 210 S. Monroe

Email scott@skdgrp.com

Street

Tallahassee FL 32301

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

ABC Fine Wine & Spirits

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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SB438

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Adam Houston

Phone 386-438-4718

Address 10828 US 129 Street

Email Suwannee hempguys@gmail

City Live Oak

State FL

Zip 32060

Speaking: [] For [X] Against [] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

[] I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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SB438

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Committee

Amendment Barcode (if applicable)

Name Aveli I. Bryan

Phone 205-344-0712

Address 4525 S. Florida Ave suite 13

Email abryan@getsunmed.com

Street

Lakeland

FL

33813

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/SB 472

INTRODUCER: Fiscal Policy Committee and Senator Truenow

SUBJECT: Education in Correctional Facilities for Licensed Professions

DATE: March 28, 2025 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wyant	Stokes	CJ	Favorable
2.	Atchley	Harkness	ACJ	Favorable
3.	Wyant	Siples	FP	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 472 amends s. 944.801, F.S., to require the Department of Corrections (DOC) to coordinate with the relevant professional boards under the Department of Business and Professional Regulation (DBPR), or the DBPR when there is no board, to ensure that inmates who successfully complete classes that are required for licensure in such professions will receive credit towards licensure.

The bill may have an indeterminate workload impact. See Section V. Fiscal Impact Statement.

The bill takes effect on July 1, 2025.

II. Present Situation:

The Correctional Education Program

The Correctional Education Program (CEP) within the DOC provides educational programming to inmates in state correctional facilities.¹ The duties of the CEP, in part, include:

- Developing guidelines for collecting education-related information during the inmate reception process and disseminating such information to DOC classification staff.
- Monitoring and assessing all inmate education program services.
- Approving educational programs of the appropriate levels and types in correctional institutions and developing admission procedures for such programs.

¹ Section 944.801, F.S.

- Developing a written procedure for selecting programs to add to or delete from the vocational curriculum and periodically reevaluating such programs.²

The CEP provides 92 career and technical education courses in 37 vocational trades that are aligned to Florida's in-demand occupations.³ Career and technical education courses vary by facility and may include education relating to barbering, cosmetology, electrical contracting, landscaping, plumbing, and HVAC contracting.⁴

The Department of Business and Professional Regulation

The DBPR regulates and licenses specified businesses and professionals in Florida.⁵ The DBPR provides administrative support to professional boards that are responsible for the licensure of applicants, promulgation of rules governing the applicable profession, and the discipline of a licensee.^{6,7} Examples of relevant professional boards under the DBPR include the Barbers' Board, the Construction Industry Licensing Board, the Board of Cosmetology, and the Electrical Contractors' Licensing Board.⁸

III. Effect of Proposed Changes:

The bill amends s. 944.801, F.S., to require the CEP within the DOC to design and implement a plan, in conjunction with the relevant professional boards regulated by the DBPR, or the DBPR when there is no board, to ensure that inmates who successfully complete classes that meet the curriculum requirements for professional licensure receive credits towards applicable DBPR licensure requirements.

The bill takes effect on July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

² Section 944.801(3), F.S.

³ Florida Department of Corrections, *Bureau of Education*, available at <https://www.fdc.myflorida.com/programs/bureau-of-education> (last visited February 24, 2025).

⁴ Florida Department of Corrections, *Annual Report*, available at https://fdc-media.ccplatform.net/content/download/3089/file/Annual_Report_22-23_V10.pdf (last visited February 24, 2025).

⁵ Section 20.165, F.S.

⁶ Section 455.203, F.S.

⁷ Department of Business and Professional Regulation, *Division of Professions*, available at <https://www2.myfloralicense.com/division-of-professions/#1500572400331-dbbb2508-c03f> (last visited February 24, 2025).

⁸ Section 20.165(4)(a), F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

By improving coordination of vocational education programs and professional licensure requirements, the bill may have an indeterminate economic impact on the private sector by allowing more inmates to meet educational requirements for licensure while incarcerated. As such, the bill may provide inmates with the opportunity to be licensed by the DBPR regulated professional boards more quickly upon their release.

C. Government Sector Impact:

The bill may have an indeterminate workload impact on state government by requiring the DOC to coordinate with the relevant professional boards regulated by the DBPR to ensure that inmates receive credit towards professional licensure for successfully completing vocational courses. However, the bill's workload can be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 944.801 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Fiscal Policy on March 27, 2025:

This committee substitute:

- Clarifies the DOC must work with the relevant professional boards, or the DBPR when there is no board to design and implement a plan.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



752532

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2025	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Truenow) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraph (m) is added to subsection (3) of section 944.801, Florida Statutes, to read:

944.801 Education for state prisoners.—

(3) The responsibilities of the Correctional Education Program shall be to:

(m) Design and implement a plan, in coordination with the



752532

11 relevant professional boards regulated by the Department of
12 Business and Professional Regulation, or the Department of
13 Business and Professional Regulation when there is no board, to
14 ensure that inmates in a correctional institution who take
15 classes that meet the necessary curriculum requirements as
16 determined by the applicable laws and rules for those
17 professions shall receive credit toward licensure requirements
18 for the successful completion of those classes.

19 Section 2. This act shall take effect July 1, 2025.

20
21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 Delete everything before the enacting clause
24 and insert:

25 A bill to be entitled
26 An act relating to education in correctional
27 facilities for licensed professionals; amending s.
28 944.801, F.S.; requiring the Correctional Education
29 Program to develop a plan in conjunction with the
30 boards of professions regulated by the Department of
31 Business and Professional Regulation, or the
32 department when there is no board, for inmates to take
33 classes for credit towards licensure requirements;
34 providing an effective date.

By Senator Truenow

13-00645-25

2025472__

1 A bill to be entitled
2 An act relating to education in correctional
3 facilities for licensed professions; amending s.
4 944.801, F.S.; requiring the Correctional Education
5 Program to develop a plan in conjunction with the
6 boards of professions regulated by the Department of
7 Business and Professional Regulation for inmates to
8 take classes for credit toward licensure requirements;
9 providing an effective date.
10
11 Be It Enacted by the Legislature of the State of Florida:
12
13 Section 1. Paragraph (m) is added to subsection (3) of
14 section 944.801, Florida Statutes, to read:
15 944.801 Education for state prisoners.—
16 (3) The responsibilities of the Correctional Education
17 Program shall be to:
18 (m) Design and implement a plan, in coordination with the
19 relevant professional boards regulated by the Department of
20 Business and Professional Regulation, to ensure that inmates in
21 a correctional institution who take classes that meet the
22 necessary curriculum requirements as determined by the
23 applicable laws and rules for those professions shall receive
24 credit toward licensure requirements for the successful
25 completion of those classes.
26 Section 2. This act shall take effect July 1, 2025.

The Florida Senate
APPEARANCE RECORD

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3/27/25

Meeting Date

FISCAL POLICY

Committee

472

Bill Number or Topic

Amendment Barcode (if applicable)

Name LUCAS PARSONS

Phone 850 591-7757

Address 215 S MONROE ST

Email lparsons@carltonfields.com

TLH FLA 32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

NATL UTILITY CONTRACTORS ASSN of FLA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate

APPEARANCE RECORD

SB 472

3/27/2025

Meeting Date

Fiscal Policy

Committee

Deliver both copies of this form to
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Bill Number or Topic

Amendment Barcode (if applicable)

Name Jessica Kraynak

Phone 850-222-4082

Address 227 South Adams Street
Street

Email jessica@frf.org

Tallahassee

Florida

32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Retail Federation

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

March 27, 2025

Meeting Date

Fiscal Policy

Committee

Name Gus Corbella

Name

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB 472

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 850-443-8925

Phone

Address 101 East College Avenue

Address

Email corbella@gtlaw.com

Email

Street

Tallahassee

City

FL

State

32301

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Rights Restoration Coalition

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

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3.27.25

Meeting Date

472

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Albert Balido

Phone 850 251 3440

Address 215 S Monroe St

Email

Street

Tallahassee FL 32301

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida Policy Institute

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/27/25

Meeting Date

SB 472

Bill Number or Topic

FISCAL POLICY

Committee

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Amendment Barcode (if applicable)

Name Aaron Wayt FLORENDA ASS. of CRIMINAL DEFENSE LAWYERS

Phone

Address

Email

Street

Tallahassee

FL

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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APPEARANCE RECORD

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3/27/25

Meeting Date

472

Bill Number or Topic

Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Daniel Martinez

Phone 305-240-2917

Address 107 E. College Ave
Street

Email dmartinez@alpha.org

Tallahassee
City

FL
State

32301
Zip

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Americans for Prosperity

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The Florida Senate

APPEARANCE RECORD

SB 472

3/27/25
Meeting Date

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Bill Number or Topic

Fiscal Policy
Committee

Amendment Barcode (if applicable)

Name Katie Bonnett (Bonnett) Phone 850-339-9599

Address 1273 Seminoe DR Email kbahnetta@

TLH, FL 32307
Street City State Zip

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- I am a registered lobbyist, representing:
- I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Alliance for Safety & Justice

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The Florida Senate

APPEARANCE RECORD

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3/27/25

Meeting Date

SB472

Bill Number or Topic

FISCAL Policy

Committee

Amendment Barcode (if applicable)

Name PAUL L. FIGUEROA *Florida Ass. of LAWYERS Criminal Def.* Phone (813) 213-0000

Address TAMPA FL 33602 Email pfigueroa@paulfigueroalaw.com

Street

TAMPA

City

FL

State

33602

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 7024

INTRODUCER: Appropriations Committee

SUBJECT: State Planning and Budgeting

DATE: March 26, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Griffin</u>	<u>Sadberry</u>	<u> </u>	<u>AP Submitted as Comm. Bill/FAV</u>
2.	<u>Griffin</u>	<u>Siples</u>	<u>FP</u>	<u>Favorable</u>

I. Summary:

SB 7024 revises provisions within ch. 216, F.S., relating to the state budgeting and planning process, to clarify terminology, simplify the long-range program plan process, update the legislative budget request process, and remove obsolete provisions.

The bill does not impact state revenues or expenditures. **See Section V. Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

State Budgeting and Planning

Chapter 216, F.S., provides guidelines and requirements for the Executive Office of the Governor, state agencies, and the judicial branch for developing and submitting legislative budget requests and implementing legislative appropriations in accordance with s. 19, Art. III, of the Florida Constitution.

Long-Range Program Plans

The Florida Constitution requires general law to provide for a long-range state planning document. Section 216.013, F.S., requires state agencies and the judicial branch to develop long-range program plans to achieve state goals using an interagency planning process that includes the development of integrated agency program service outcomes.

The long-range program plans must provide the framework for the development of budget requests and identify, in part, the mission of the agency or judicial branch, the goals established

to accomplish the mission, and the objectives developed to achieve state goals.¹ Each plan is required to cover a period of five fiscal years and must be revised annually. Each state agency and the judicial branch is required to post their long-range program plans on their websites no later than September 30th of each year.²

State agencies and the judicial branch were not required to develop or post an update to their plans going into planning and budgeting for the 2025-2026 fiscal year in light of the review that the Government Efficiency Task Force had undertaken.³

Performance Measures and Standards

Agencies and the judicial branch are required to maintain a comprehensive accountability system containing, at a minimum, a list of performance measures that are adopted by the Legislature. Agencies and the judicial branch must submit output and outcome measures and standards, as well as historical baseline performance data. The Legislature is authorized to create, amend, and delete performance measures and standards.⁴

Legislative Budget Requests

In accordance with s. 19, Art. III, of the Florida Constitution, s. 216.023, F.S., requires state agencies and the judicial branch to submit requests for the Legislature for the amounts of money such agency or branch believes will be needed in the performance of the functions that it is authorized, or which it is requesting authorization by law, to perform.⁵

Each state agency and the judicial branch is required to submit a final legislative budget request to the Legislature and the Governor in the form and manner prescribed by the budget instructions no later than October 15th of each year, unless an alternative date is agreed to be in the best interest of the state by the Governor and the chairs of the legislative appropriations committees.⁶

Agency Incentive and Savings Programs

Section 216.1815, F.S., authorizes agencies and the judicial branch to retain a portion of the savings produced by internally generated agency or judicial branch program efficiencies and cost reductions in order to provide an incentive for agencies and the judicial branch to re-engineer business processes and otherwise increase operating efficiency. To be eligible to retain funds, an agency or judicial branch must submit a plan and an associated request to amend its approved operating budget to the Legislative Budget Commission, which will determine the amount the agency or the judicial branch will be allowed to retain considering the actual savings projected for the current year budget and the annualized savings.⁷ Each agency or the judicial branch allowed to retain funds is required to submit in its next legislative budget request a schedule showing how it used such funds.⁸

¹ Section 216.013(1), F.S.

² Section 216.013(4), F.S.

³ Section 216.013(7), F.S.

⁴ Section 216.1827, F.S.

⁵ Section 216.011(1)(cc), F.S.

⁶ Section 216.023.

⁷ Section 216.1815, F.S.

⁸ *Id.*

Activity-based Planning and Budgeting

Section 216.1826, F.S., requires agencies to work in consultation with the Executive Office of the Governor and the appropriation committees of the Legislature to identify and reach consensus on the appropriate services and activities for activity-based budgeting. Additionally, agencies or the judicial branch are required to examine approved performance measures and recommend any changes so that outcomes are clearly delineated for each service or program, as appropriate, and outputs are aligned with activities. Output measures should be capable of being used to generate a unit cost for each activity resulting in a true accounting of what the state should spend on each activity it provides and what the state should expect to accomplish with those funds.

Authorized Positions

The total number of authorized positions of a state agency or entity of the judicial branch may not exceed the total provided in the General Appropriations Act, unless otherwise expressly provided by law.⁹ If a state agency or entity of the judicial branch finds that the number of positions so provided is not sufficient to administer its authorized programs, it may file an application with the Executive Office of the Governor or the Chief Justice. If the Executive Office of the Governor or Chief Justice certifies that there are no authorized positions available for addition, deletion, or transfer within the agency and recommends an increase in the number of positions, the Governor or the Chief Justice may recommend an increase in the number of positions for the following reasons only:

- To implement or provide for continuing federal grants or changes in grants not previously anticipated.
- To meet emergencies pursuant to s. 252.36.
- To satisfy new federal regulations or changes therein.
- To take advantage of opportunities to reduce operating expenditures or to increase the revenues of the state or local government.
- To authorize positions that were not fixed by the Legislature through error in drafting the appropriations acts.¹⁰

Actions recommended by the Executive Office of the Governor or the Chief Justice are subject to the approval by the Legislative Budget Commission.¹¹

Historically, there has been an exception provided for the Department of Corrections in the bill implementing the General Appropriations Act.¹² For the 2024-2025 fiscal year, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the December 15, 2023, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, is required to immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates.

⁹ Section 216.262, F.S.

¹⁰ *Id.*

¹¹ *Id.*

¹² Chapter 2024-228, s. 28, L.O.F.

The Department of Corrections is then authorized to submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population.¹³

Transfers of Appropriations

Funds provided in the General Appropriations Act or otherwise expressly provided by law are required to be expended only for the purpose for which appropriated. Appropriations may not be transferred between state agencies, or between a state agency and the judicial branch, unless specifically authorized by law.¹⁴

However, there are some exceptions provided in s. 216.292, F.S., provided the transfer is determined to be in the best interest of the state. Additionally, such authorized revisions must be consistent with the intent of the approved operating budget, must be consistent with legislative policy and intent, and may not conflict with specific spending policies specified in the General Appropriations Act.¹⁵

The transfer of appropriations funded from identical funding sources, except appropriations for fixed capital outlay, and the transfer of amounts included within the total original approved budget and plans of releases of appropriations as furnished pursuant to ss. 216.181 and 216.192, F.S., may be made by the head of each department or the Chief of the Supreme Court whenever it is deemed necessary by reason of changed conditions as follows:

- Between categories of appropriations within a budget entity, if no category of appropriation is increased or decreased by more than five percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.
- Between budget entities within identical categories of appropriations, if no category of appropriation is increased or decreased by more than five percent of the original approved budget or \$250,000, whichever is greater, by all action taken under this subsection.¹⁶

However, any agency exceeding salary rate established pursuant to s. 216.181(8) on June 30th of any fiscal year is not authorized to make such transfers in the subsequent fiscal year.

Notice of proposed transfers must be provided to the Executive Office of the Governor and the chairs of the legislative appropriations committees at least three days prior to agency implementation, in order to provide an opportunity for review. The review shall be limited to ensuring that the transfer is in compliance with the requirements of this paragraph, but must ensure that transfers proposed pursuant to this paragraph comply with this chapter, maximize the use of available and appropriate trust funds, and are not contrary to legislative policy and intent.

¹³ Section 216.262(4), F.S.

¹⁴ *Id.*

¹⁵ Section 216.292, F.S.

¹⁶ Section 216.292(2), F.S.

The following transfers are authorized with the approval of the Executive Office of the Governor for the executive branch or the Chief Justice for the judicial branch, subject to the notice and objection provisions of s. 216.177, F.S.:

- The transfer of appropriations for operations from trust funds up to \$1 million.
- The transfer of positions between budget entities.¹⁷

The following transfers are authorized with the approval of the Legislative Budget Commission. Unless waived by the chair and vice chair of the commission, notice of such transfers must be provided 14 days before the commission meeting:

- The transfer of appropriations for operations from the General Revenue Fund in excess of \$1 million, but within a state agency or within the judicial branch, as recommended by the Executive Office of the Governor or the Chief Justice of the Supreme Court.
- The transfer of appropriations for operations from trust funds in excess of \$1 million, as recommended by the Executive Office of the Governor or the Chief Justice of the Supreme Court.
- The transfer of the portion of an appropriation for a named fixed capital outlay project found to be in excess of that needed to complete the project to another project for which there has been an appropriation in the same fiscal year from the same fund and within the same department where a deficiency is found to exist, at the request of the Executive Office of the Governor for state agencies or the Chief Justice of the Supreme Court for the judicial branch.
- The transfers necessary to accomplish the purposes of reorganization within state agencies or the judicial branch authorized by the Legislature when the necessary adjustments of appropriations and positions have not been provided in the General Appropriations Act.¹⁸

Government Efficiency Task Force

Article III, s. 19 of the Florida Constitution requires a Government Efficiency Task Force composed of members of the Legislature and representatives from the private and public sectors to develop recommendations for improving governmental operations and reducing costs. The task force is required to meet every four years and submit its work to the Joint Legislative Budget Commission, the Governor, and the Chief Justice of the Supreme Court.

In June 2024, the task force established a working group to study the Long-Range Program Plans. The working group reported the following recommendations and improvements:

- Improving flexibility through, creating a more dynamic process for revising plans based on new information, such as requiring agencies to update plans annually or bi-annually for more adaptable long-term strategic planning;
- Simplifying processes to reduce administrative demands and free up resources for service delivery, including a system for capturing lessons-learned and best practices from each planning cycle to aid with future planning cycles; and
- Shifting focus to outcomes, rather than outputs by requiring performance measures to focus on meaningful outcomes, rather than easily measured outputs.¹⁹

¹⁷ Section 216.292(3), F.S.

¹⁸ Section 216.292(4), F.S.

¹⁹ Florida Government Efficiency Task Force, *2024-2025 Final Recommendations*, at 3 (available at https://www.dms.myflorida.com/other_programs/government_efficiency_task_force).

III. Effect of Proposed Changes:

Section 1 amends s. 216.011, F.S., to clarify the definition of fixed capital outlay and specify that the definition does not include minor repairs or maintenance which may be appropriated in an expense, contracted services, or a special appropriations category. The bill also deletes the definitions for the terms “disincentives” and “incentives.”

Section 2 amends s. 216.013, F.S., to update the LRPP requirements. Pursuant to the bill, LRPPs must be submitted annually by each agency and the judicial branch by September 15 to the Legislative Budget Commission for approval, including any update on meeting their plans’ approved performance measure and any deviation from expected performance measures. An agency or the judicial branch that does not comply with the submission deadline and requirements will not be able to submit budget amendments or otherwise make changes to its budget until the agency or judicial branch has corrected the deficiency.

The LRPPs must include information about the implementation status of any law enacted in the previous legislative session. The status must be provided until all provisions of the law are fully implemented. For the purposes of initial implementation, an agency must provide information on laws enacted in the 2023 and 2024 regular session that have provision not fully implemented.

The implementation status information must include:

- Actions or steps taken to implement the law, including but not limited to:
 - Administrative rules for proposed implementation.
 - Procurements required.
 - Contracts executed to assist the agency in implementation.
 - Contracts executed to implement or administer the law.
 - Programs started, offices established, or other organizational administrative changes made, including personnel changes.
 - Federal waivers requested.
- The status of any required appointments and timing of board, commission, or related public meetings.
- A description of the agency programs, outputs, and activities implemented or changed related to the law.
- All expenditures made that were directly related to the implementation.
- Any provisions remaining to be implemented.
- A description of any impediment or delay in the implementation, including, but not limited to, challenges of administrative rules or identification of any policy issue that needs to be resolved by the Legislature to ensure timely and effective implementation.
- Information related to any litigation related to the law which is not previously provided.
- Performance measures developed and the specific data identified, including data on enrollments, participants, loans, and other data elements of programs, outputs, and activities.

Additionally, the bill requires each LRPP to be posted on the agency or judicial branch website no later than September 30th of each year.

Section 3 amends s. 216.023, F.S., to clarify that Legislative Budget Requests (LBRs) are due no later than September 15th of each odd-numbered year and no later than October 15th of each even-numbered year.

The bill further amends s. 216.023, F.S., to repeal the requirements for the LRPP and LBR Unit Cost Summary exercise.

The bill also updates the Governor's Office of Policy and Budget title from the current Planning and Budgeting title.

Section 4 amends s. 216.163, F.S., to remove the requirement that the Executive Office of the Governor review and submit recommendations for executive agencies regarding incentives and disincentives for agency performance.

Section 5 amends s. 216.177, F.S., to remove the authorization for the Legislature to annually specify any incentives and disincentives for agencies operating programs under performance-based budgets.

Section 6 amends s. 216.181, F.S., to conform a cross-reference.

Section 7 repeals s. 216.1815, F.S., relating to the agency incentive and savings program.

Section 8 repeals s. 216.1826, F.S., relating to activity-based planning and budgeting.

Section 9 amends s. 216.1827, F.S., to provide standardization of agency performance measures, outcomes, and standards.

Pursuant to the bill, each state agency and the judicial branch shall adopt the new, standardized, performance measures, outcomes, and standards. These new reporting requirements include:

- Administrative costs as a percentage of total agency costs, including salaries and benefits and excluding fixed capital outlay.
- The percentage of vacant positions filled within 180 days after becoming vacant.
- Total dollar amount of salary increases awarded, delineated by the subtotal dollar amount associated with increases specifically authorized in the General Appropriations Act or other law and the amount awarded without specific legislative authorization.
- Percentage of corrective actions taken within 6 months after receipt of audit findings and management letters issued to resolve such findings or letters from financial and operational audits conducted pursuant to s. 11.45, F.S.
- Private attorney service costs dollar amounts by case and as a percentage of total agency legal costs, legal costs paid to the Attorney General's office by case and as a percentage of total agency legal costs, and total agency legal costs as a percentage of total agency budget.
- Total dollar amount of expenditures by state term contract as defined in s. 287.012, contracts procured using alternative purchasing methods as authorized pursuant to s. 287.042(16), and agency procurements through request for proposal, invitation to negotiate, invitation to bid, single source, and emergency purchases.
- If applicable, the number of complete applications received and the average number of days to complete a permit, a licensure, a registration, or a certification process, from the date of the receipt of initial application to final agency action, for each permit, license, registration, or certification issued by the agency or judicial branch.

- If applicable, the total number of required inspections, total number of inspections completed, and percentage of required inspections completed.
- If applicable, average number of calendar days to award and contract for noncompetitive projects or grant programs for state or federal funds from the date of receipt of funds by the agency or receipt of budget authority, whichever is later.

The bill further provides that, in addition to the standard performance measures, outcomes, and standards required by subsection (2), each agency and the judicial branch shall develop and adopt at least five additional performance measures, outcomes, and standards. Additional performance measures, outcomes, and standards must include key state agency or judicial branch functions.

When developing the additional performance measures, outcomes, and standards, each state agency and the judicial branch shall take all of the following into consideration:

- The mission of the agency or judicial branch, state goals and objectives, and statutory policy.
- Programs, outputs, and activities that are key agency or judicial branch functions.
- Selection of data elements that best and most accurately measure progress toward state goals and objectives, including facilitating analysis of any deviation from expected performance.

Additionally, the bill requires each agency and the judicial branch to maintain the justification for each performance measure, outcome, or standard, as well as the source of data to be used.

The bill adds language to require LRPPs to provide:

- Information regarding measurement of the performance measures, including how the data is collected, baseline data, the methodology used for measurement, the reason for the measurement, and the validity and reliability of the measurement.
- Data for the previous five years related to the performance measures, outcomes, and standards and an explanation of deviation from expected performance.

The bill makes several revisions to the submission, approval, and amendment process for agency LRPPs. Under the provisions of the bill:

- Each state agency and the judicial branch shall submit performance measures, outcomes, and standards, including any information required under this section, to the Office of Program Policy Analysis and Government Accountability (OPPAGA).
- The performance measures, outcomes, and standards, including any amendments thereto, for each state agency and the judicial branch are to be adopted by the LBC.
- At least 30 days before the scheduled annual legislative session, a state agency or the Chief Justice of the Supreme Court may submit requests to delete or amend performance measures, outcomes, and standards. Such deletion, amendment, or addition is subject to review and approval by the LBC.
- State agencies and the judicial branch have 30 days after the effective date of the General Appropriations Act, or other enacted legislation, to propose adjustments to their performance measures, outcomes, and standards for review and approval by the LBC.
- Any new state agency created by the legislature is required to establish initial performance measures, outcomes, and standards subject to review and approval by the LBC.

- Each state agency and the judicial branch shall submit new performance measures, outcomes, and standards, including the information required by this section to the LBC by December 1, 2025. This paragraph will expire on December 31, 2026.

Section 10 amends s. 216.262, F.S., to authorize the Department of Corrections to request additional positions through the LBC if the inmate population exceeds the most recently adopted forecast by the Criminal Justice Estimating Conference for specified percentages and timeframes.

Section 11 amends s. 216.292, F.S., to allow the Executive Office of the Governor to transfer funds between agencies for the purpose of implementing statewide distributions for risk management insurance, human resource services, and data processing services. These transfers and adjustments are subject to the notice, review, and objection procedures of s. 216.177, F.S.

The bill further requires the review of agency transfer budget amendments to ensure that the transfers comply with the requirements of chg. 216, F.S., maximize the use of available and appropriate trust funds, and are not contrary to legislative policy and intent.

Section 12 amends s. 20.055, F.S., to remove the provision that agency inspectors general are required to assess the reliability and validity of performance measures and standards and make recommendations for improvement before submission.

Section 16 amends s. 420.0003, F.S., to allow the Florida Housing Finance Corporation to independently develop a long-range plan rather than developing an LRPP in coordination with the Department of Commerce.

Section 17 amends s. 420.511, F.S., to remove the provision that the Secretary of Commerce, or their designee, serves as the Florida Housing Finance Corporation's representative to achieve planning coordination and integration with the department.

Sections 13-15 and 18-21 amend ss. 121.021, 121.051, 186.021, 489.145, 985.619, 1002.37, and 402.56, F.S., respectively, to make technical and conforming changes.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 216.011, 216.013, 216.023, 216.163, 216.177, 216.181, 216.1827, 216.262, 216.292, 20.055, 121.021, 121.051, 186.021, 420.0003, 420.511, 985.619, and 1002.37.

This bill repeals the following sections of the Florida Statutes: 216.1815 and 216.1826.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By the Committee on Appropriations

576-02642-25

20257024__

1 A bill to be entitled
 2 An act relating to state planning and budgeting;
 3 reenacting and amending s. 216.011, F.S.; deleting the
 4 definitions of the terms "disincentive" and
 5 "incentive"; revising the definition of the term
 6 "fixed capital outlay"; amending s. 216.013, F.S.;
 7 revising the purpose of long-range program plans;
 8 requiring that such plans be based on statutorily
 9 established policies and driven by priorities and
 10 outcomes to achieve certain goals, objectives, and
 11 policies; requiring that such plans provide the
 12 framework for development of legislative budget
 13 requests; requiring that such plans identify specified
 14 performance measures, trends and conditions relevant
 15 to the performance measures and state goals, and
 16 agency and judicial programs that implement
 17 statutorily established policy; requiring that such
 18 plans include certain information regarding the
 19 implementation status of enacted laws; requiring that
 20 such information also include laws enacted in
 21 specified years; requiring that the implementation
 22 status include specified information; requiring that
 23 long-range program plans cover a specified timeframe
 24 and remain in effect until replaced or adjusted as
 25 provided by specified provisions; deleting a
 26 requirement that written notice be provided to the
 27 Governor and Legislature upon the publishing of such
 28 plans on the agency or judicial branch website;
 29 requiring state agencies and the judicial branch

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

576-02642-25

20257024__

30 annually, by a specified date, to submit their long-
 31 range program plans to the Legislative Budget
 32 Commission for approval; providing that if a state
 33 agency or the judicial branch receives a certain
 34 notification of failure to comply, such agency or the
 35 judicial branch is prohibited from submitting
 36 amendments to or otherwise making changes to its
 37 approved budget for certain expenditures until
 38 compliance is achieved; deleting obsolete language;
 39 amending s. 216.023, F.S.; requiring state agencies,
 40 the judicial branch, and the Division of
 41 Administrative Hearings to submit legislative budget
 42 requests before a specified date in each odd-numbered
 43 year and by a specified date in each even-numbered
 44 year; deleting provisions relating to total
 45 accountability measures and reductions in allocations;
 46 making a technical change; amending ss. 216.163,
 47 216.177, and 216.181, F.S.; conforming provisions to
 48 changes made by the act; repealing ss. 216.1815 and
 49 216.1826, F.S., relating to the agency incentive and
 50 savings program and activity-based planning and
 51 budgeting, respectively; amending s. 216.1827, F.S.;
 52 requiring state agencies and the judicial branch to
 53 maintain performance measures, outcomes, and
 54 standards; requiring state agencies and the judicial
 55 branch to adopt specified and applicable performance
 56 measures, outcomes, and standards; requiring state
 57 agencies and the judicial branch to develop and adopt
 58 a certain number of specified performance measures,

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20257024__

59 outcomes, and standards; requiring state agencies and
 60 the judicial branch to consider specified factors when
 61 developing such additional performance measures,
 62 outcomes, and standards; requiring state agencies to
 63 maintain justifications for and sources of data to be
 64 used for each performance measure adopted; requiring
 65 that the long-range program plans contain performance
 66 measures in specified forms, manner, and timeframes;
 67 requiring that such plans provide specified
 68 information and data; requiring state agencies and the
 69 judicial branch to submit performance measures,
 70 outcomes, standards, and certain information to the
 71 Office of Program Policy Analysis and Government
 72 Accountability upon request; requiring that certain
 73 performance measures be adopted by the Legislative
 74 Budget Commission; authorizing the submission of
 75 requests to delete or amend performance measures,
 76 outcomes, and standards to the Legislative Budget
 77 Commission; requiring that such request include the
 78 justification for the deletion, amendment, or
 79 addition; providing that such deletions, amendments,
 80 or additions are subject to review and approval by the
 81 Legislative Budget Commission; requiring state
 82 agencies and the judicial branch to make appropriate
 83 adjustments to their performance measures, outcomes,
 84 and standards to be consistent with certain enacted
 85 legislation; providing that state agencies and the
 86 judicial branch have a specified timeframe to make
 87 such adjustments; deleting obsolete language;

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576-02642-25

20257024__

88 requiring new state agencies created by the
 89 Legislature to establish initial performance measures,
 90 outcomes, and standards that are subject to review and
 91 approval by the Legislative Budget Commission;
 92 requiring state agencies and the judicial branch to
 93 submit to the Legislative Budget Commission new
 94 performance measures and specified information by a
 95 specified date; providing for the scheduled repeal of
 96 such provision; amending s. 216.262, F.S.; providing
 97 that if the actual inmate population of the Department
 98 of Corrections exceeds inmate population projections
 99 of the most recently adopted forecast published by the
 100 Criminal Justice Estimating Conference for the current
 101 fiscal year by specified percentages, the Executive
 102 Office of the Governor shall immediately notify such
 103 estimating conference to convene and revise the
 104 estimates; abrogating the scheduled repeal of such
 105 provisions; amending s. 216.292, F.S.; prohibiting
 106 appropriations from being transferred between state
 107 agencies unless specifically authorized by the General
 108 Appropriations Act or as otherwise provided by law;
 109 authorizing the Executive Office of the Governor to
 110 transfer funds within and between state agencies for a
 111 specified purpose; providing that such transfers and
 112 adjustments are subject to certain notice, review, and
 113 objections; deleting obsolete language; abrogating the
 114 scheduled repeal of a provision; amending s. 20.055,
 115 F.S.; conforming provisions to changes made by the
 116 act; amending ss. 121.021 and 121.051, F.S.;

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117 conforming cross-references; amending s. 186.021,
 118 F.S.; conforming provisions to changes made by the
 119 act; amending s. 420.0003, F.S.; revising that a
 120 certain long-range plan is from the Florida Housing
 121 Finance Corporation and not from the Department of
 122 Commerce; conforming provisions to changes made by the
 123 act; amending s. 420.511, F.S.; revising references to
 124 "long-range program plan" as "long-range plan";
 125 deleting a requirement that such plan be developed in
 126 coordination with the Department of Commerce; deleting
 127 a provision relating to the Secretary of Commerce, or
 128 his or her designee, serving as the Florida Housing
 129 Finance Corporation's liaison for a specified purpose;
 130 amending ss. 489.145, 985.619 and 1002.37, F.S.;
 131 conforming cross-references; reenacting s.
 132 402.56(5)(d), F.S., relating to the duty of the
 133 Children and Youth Cabinet to design and implement a
 134 long-range program plan, to incorporate the amendment
 135 made to s. 216.013, F.S., in a reference thereto;
 136 providing an effective date.

137
 138 Be It Enacted by the Legislature of the State of Florida:

139
 140 Section 1. Paragraphs (n), (r), and (v) of subsection (1)
 141 of section 216.011, Florida Statutes, are amended, and paragraph
 142 (ee) of that subsection is reenacted, to read:

143 216.011 Definitions.—

144 (1) For the purpose of fiscal affairs of the state,
 145 appropriations acts, legislative budgets, and approved budgets,

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146 each of the following terms has the meaning indicated:

147 ~~(n) "Disincentive" means a sanction as described in s.~~
 148 ~~216.163.~~

149 (q) ~~(r)~~ "Fixed capital outlay" means the appropriation
 150 category used to fund real property (land, buildings, including
 151 appurtenances, fixtures and fixed equipment, structures, etc.),
 152 including additions, replacements, major repairs, and
 153 renovations to real property which materially extend its useful
 154 life or materially improve or change its functional use and
 155 including furniture and equipment necessary to furnish and
 156 operate a new or improved facility, when appropriated by the
 157 Legislature in the fixed capital outlay appropriation category.
 158 The term does not include a minor repair or maintenance that
 159 does not materially extend the useful life or materially improve
 160 or change the functional use of a facility, which may be
 161 appropriated in an expense, contracted services, or special
 162 appropriation category.

163 ~~(v) "Incentive" means a mechanism, as described in s.~~
 164 ~~216.163, for recognizing the achievement of performance~~
 165 ~~standards or for motivating performance that exceeds performance~~
 166 ~~standards.~~

167 (cc) ~~(ee)~~ "Long-range program plan" means a plan developed
 168 pursuant to s. 216.013.

169 Section 2. Section 216.013, Florida Statutes, is amended to
 170 read:

171 216.013 Long-range program plans ~~plan~~.—State agencies and
 172 the judicial branch shall develop long-range program plans to
 173 achieve state goals and objectives using an interagency planning
 174 process ~~that includes the development of integrated agency~~

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175 ~~program service outcomes.~~ The plans must shall be ~~policy~~ based
 176 on statutorily established policies; ~~priority driven by~~
 177 priorities and outcomes to achieve state goals, objectives, and
 178 policies; ~~accountable;~~ and developed through careful
 179 examination and justification of all agency and judicial branch
 180 programs and activities.

181 (1) Long-range program plans must ~~shall~~ provide the
 182 framework for the development of legislative budget requests.

183 (2) Long-range program plans must ~~and shall~~ identify ~~or~~
 184 update:

185 (a) The mission of the agency or judicial branch.

186 (b) The performance measures required pursuant to s.
 187 216.1827 ~~goals established to accomplish the mission.~~

188 (c) ~~The objectives developed to achieve state goals.~~

189 ~~(d)~~ The trends and conditions relevant to the mission, the
 190 performance measures, and the state goals, and objectives.

191 (d)(e) The state agency or judicial branch programs that
 192 will be used to implement statutorily established ~~state~~ policy
 193 and achieve state goals and objectives.

194 ~~(f)~~ ~~The program outcomes and standards to measure progress~~
 195 ~~toward program objectives.~~

196 ~~(g)~~ ~~Information regarding performance measurement, which~~
 197 ~~includes, but is not limited to, how data is collected, the~~
 198 ~~methodology used to measure a performance indicator, the~~
 199 ~~validity and reliability of a measure, the appropriateness of a~~
 200 ~~measure, and whether, in the case of agencies, the agency~~
 201 ~~inspector general has assessed the reliability and validity of~~
 202 ~~agency performance measures, pursuant to s. 20.055(2).~~

203 ~~(h)~~ ~~Legislatively approved output and outcome performance~~

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204 ~~measures.~~ Each performance measure must identify the associated
 205 activity contributing to the measure from those identified in
 206 ~~accordance with s. 216.023(4)(b).~~

207 ~~(i)~~ ~~Performance standards for each performance measure and~~
 208 ~~justification for the standards and the sources of data to be~~
 209 ~~used for measurement. Performance standards must include~~
 210 ~~standards for each affected activity and be expressed in terms~~
 211 ~~of the associated unit of activity.~~

212 ~~(j)~~ ~~Prior-year performance data on approved performance~~
 213 ~~measures and an explanation of deviation from expected~~
 214 ~~performance. Performance data must be assessed for reliability~~
 215 ~~in accordance with s. 20.055.~~

216 ~~(k)~~ ~~Proposed performance incentives and disincentives.~~

217 (3) (a) 1. Long-range program plans must include information
 218 about the implementation status of any law enacted in the
 219 previous legislative session. The implementation status must be
 220 provided until all provisions of the law related to the agency
 221 have been fully implemented.

222 2. For purposes of initial implementation of this
 223 subsection, in addition to laws enacted pursuant to the 2025
 224 Regular Session, an agency must also provide information on
 225 recently enacted laws for the 2023 and 2024 Regular Sessions
 226 that have provisions not fully implemented. This subparagraph
 227 expires on June 30, 2026.

228 (b) Implementation status information must include, at a
 229 minimum, all of the following:

230 1. Actions or steps taken to implement the law, and actions
 231 or steps planned for implementation, including, but not limited
 232 to, all of the following, as applicable:

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233 a. Administrative rules proposed for implementation.
 234 b. Procurements required.
 235 c. Contracts executed to assist the agency in
 236 implementation.
 237 d. Contracts executed to implement or administer the law.
 238 e. Programs started, offices established, or other
 239 organizational administrative changes made, including personnel
 240 changes.
 241 f. Federal waivers requested.
 242 2. The status of any required appointments and all
 243 scheduled board, commission, or related public meetings.
 244 3. A description of the agency programs, outputs, and
 245 activities implemented or changed related to the law.
 246 4. All expenditures made that were directly related to the
 247 implementation.
 248 5. Any provisions remaining to be implemented.
 249 6. A description of any impediment or delay in the
 250 implementation, including, but not limited to, challenges of
 251 administrative rules or identification of any policy issue that
 252 needs to be resolved by the Legislature to ensure timely and
 253 effective implementation.
 254 7. Information related to any litigation related to the law
 255 which is not provided under subparagraph 6.
 256 8. Any performance measure developed and the specific data
 257 identified, including data regarding enrollments, participants,
 258 loans, and other data elements of programs, outputs, and
 259 activities.
 260 (4)(2) Each Long-range program plans must plan shall cover
 261 a period of 5 fiscal years, be revised annually, and remain in

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262 effect until replaced or adjusted as provided in this section
 263 ~~revised.~~
 264 (5)(3) Long-range program plans or revisions must shall be
 265 presented by state agencies and the judicial branch in a form,
 266 manner, and timeframe prescribed in written instructions
 267 prepared by the Executive Office of the Governor in consultation
 268 with the chairs of the legislative appropriations committees.
 269 (6)(4) Each state executive agency and the judicial branch
 270 shall post their long-range program plans on their Internet
 271 websites not later than September 30 30th of each year, and
 272 provide written notice to the Governor and the Legislature that
 273 the plans have been posted.
 274 (7)(5) Each state agency The state agencies and the
 275 judicial branch shall make appropriate adjustments to their
 276 long-range program plans, excluding adjustments to performance
 277 measures, outcomes, and standards, to be consistent with the
 278 appropriations in the General Appropriations Act, and
 279 legislation implementing the General Appropriations Act, or
 280 other enacted legislation. Agencies and the judicial branch have
 281 30 days subsequent to the effective date of the General
 282 Appropriations Act and implementing legislation to make
 283 adjustments to their plans as posted on their Internet websites.
 284 (8) Annually, no later than September 15, each state agency
 285 and the judicial branch shall submit their long-range program
 286 plans to the Legislative Budget Commission for approval,
 287 including any update on meeting their plans' approved
 288 performance measures and any deviation from expected performance
 289 measures.
 290 (9) If the chairs of the legislative appropriations

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291 committees notify a state agency or the judicial branch that the
 292 agency or the judicial branch has failed to comply with this
 293 section or s. 216.1827, the agency or the judicial branch may
 294 not submit amendments or otherwise make changes to its approved
 295 budget for operations and fixed capital outlay pursuant to s.
 296 216.181 until the agency or the judicial branch has corrected
 297 its deficiency.

298 ~~(10)(6)~~ Long-range program plans developed pursuant to this
 299 chapter are not rules and, therefore, are not subject to the
 300 provisions of chapter 120.

301 ~~(7) Notwithstanding the provisions of this section, each~~
 302 ~~state executive agency and the judicial branch are not required~~
 303 ~~to develop or post a long-range program plan by September 30,~~
 304 ~~2024, for the 2025-2026 fiscal year, except in circumstances~~
 305 ~~outlined in any updated written instructions prepared by the~~
 306 ~~Executive Office of the Governor in consultation with the chairs~~
 307 ~~of the legislative appropriations committees. This subsection~~
 308 ~~expires July 1, 2025.~~

309 Section 3. Subsections (1), (2), (4), and (10) of section
 310 216.023, Florida Statutes, are amended to read:

311 216.023 Legislative budget requests to be furnished to
 312 Legislature by agencies.—

313 (1) The head of each state agency, except as provided in
 314 subsection (2), shall submit a final legislative budget request
 315 to the Legislature and to the Governor, as chief budget officer
 316 of the state, in the form and manner prescribed in the budget
 317 instructions and at such time as specified by the Executive
 318 Office of the Governor, based on the agency's independent
 319 judgment of its needs. However, a state agency must ~~may not~~

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320 submit its complete legislative budget request, including all
 321 supporting forms and schedules required by this chapter, no
 322 later than September 15 of each odd-numbered year and no later
 323 than October 15 of each even-numbered year unless an alternative
 324 date is agreed to be in the best interest of the state by the
 325 Governor and the chairs of the legislative appropriations
 326 committees.

327 (2) The judicial branch and the Division of Administrative
 328 Hearings shall submit their complete legislative budget requests
 329 directly to the Legislature with a copy to the Governor, as
 330 chief budget officer of the state, in the form and manner as
 331 prescribed in the budget instructions. However, the complete
 332 legislative budget requests, including all supporting forms and
 333 schedules required by this chapter, must ~~shall~~ be submitted no
 334 later than September 15 of each odd-numbered year and no later
 335 than October 15 of each even-numbered year unless an alternative
 336 date is agreed to be in the best interest of the state by the
 337 Governor and the chairs of the legislative appropriations
 338 committees.

339 ~~(4)(a)~~ The legislative budget request for each program must
 340 contain:

341 ~~(a)1-~~ The constitutional or statutory authority for a
 342 program, a brief purpose statement, and approved program
 343 components.

344 ~~(b)2-~~ Information on expenditures for 3 fiscal years
 345 (actual prior-year expenditures, current-year estimated
 346 expenditures, and agency budget requested expenditures for the
 347 next fiscal year) by appropriation category.

348 ~~(c)3-~~ Details on trust funds and fees.

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349 (d)4- The total number of positions (authorized, fixed, and
350 requested).

351 (e)5- An issue narrative describing and justifying changes
352 in amounts and positions requested for current and proposed
353 programs for the next fiscal year.

354 (f)6- Information resource requests.

355 (g)7- Supporting information, including applicable cost-
356 benefit analyses, business case analyses, performance
357 contracting procedures, service comparisons, and impacts on
358 performance standards for any request to outsource or privatize
359 agency functions. The cost-benefit and business case analyses
360 must include an assessment of the impact on each affected
361 activity ~~from those identified in accordance with paragraph (b)-~~
362 ~~Performance standards must include standards for each affected~~
363 ~~activity and be expressed in terms of the associated unit of~~
364 ~~activity.~~

365 (h)8- An evaluation of major outsourcing and privatization
366 initiatives undertaken during the last 5 fiscal years having
367 aggregate expenditures exceeding \$10 million during the term of
368 the contract. The evaluation must include an assessment of
369 contractor performance, a comparison of anticipated service
370 levels to actual service levels, and a comparison of estimated
371 savings to actual savings achieved. Consolidated reports issued
372 by the Department of Management Services may be used to satisfy
373 this requirement.

374 (i)9- Supporting information for any proposed consolidated
375 financing of deferred-payment commodity contracts including
376 guaranteed energy performance savings contracts. Supporting
377 information must also include narrative describing and

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378 justifying the need, baseline for current costs, estimated cost
379 savings, projected equipment purchases, estimated contract
380 costs, and return on investment calculation.

381 (j)10- For projects that exceed \$10 million in total cost,
382 the statutory reference of the existing policy or the proposed
383 substantive policy that establishes and defines the project's
384 governance structure, planned scope, main business objectives
385 that must be achieved, and estimated completion timeframes. The
386 governance structure for information technology-related projects
387 must incorporate the applicable project management and oversight
388 standards established pursuant to s. 282.0051. Information
389 technology budget requests for the continuance of existing
390 hardware and software maintenance agreements, renewal of
391 existing software licensing agreements, or the replacement of
392 desktop units with new technology that is similar to the
393 technology currently in use are exempt from this requirement.

394 ~~(b) It is the intent of the Legislature that total~~
395 ~~accountability measures, including unit cost data, serve not~~
396 ~~only as a budgeting tool but also as a policymaking tool and an~~
397 ~~accountability tool. Therefore, each state agency and the~~
398 ~~judicial branch must submit a summary of information for the~~
399 ~~preceding year in accordance with the legislative budget~~
400 ~~instructions. Each summary must provide a one-page overview and~~
401 ~~must contain:~~

- 402 ~~1. The final budget for the agency and the judicial branch.~~
- 403 ~~2. Total funds from the General Appropriations Act.~~
- 404 ~~3. Adjustments to the General Appropriations Act.~~
- 405 ~~4. The line item listings of all activities.~~
- 406 ~~5. The number of activity units performed or accomplished.~~

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407 ~~6. Total expenditures for each activity, including amounts~~
 408 ~~paid to contractors and subordinate entities. Expenditures~~
 409 ~~related to administrative activities not aligned with output~~
 410 ~~measures must consistently be allocated to activities with~~
 411 ~~output measures prior to computing unit costs.~~

412 ~~7. The cost per unit for each activity, including the costs~~
 413 ~~allocated to contractors and subordinate entities.~~

414 ~~8. The total amount of reversions and pass-through~~
 415 ~~expenditures omitted from unit cost calculations.~~

416
 417 ~~At the regular session immediately following the submission of~~
 418 ~~the agency unit cost summary, the Legislature shall reduce in~~
 419 ~~the General Appropriations Act for the ensuing fiscal year, by~~
 420 ~~an amount equal to at least 10 percent of the allocation for the~~
 421 ~~fiscal year preceding the current fiscal year, the funding of~~
 422 ~~each state agency that fails to submit the report required under~~
 423 ~~this paragraph.~~

424 (10) The legislative budget request from each agency and
 425 from the judicial branch shall be reviewed by the Legislature.
 426 The review may allow for the opportunity to have information or
 427 testimony by the agency, the judicial branch, the Auditor
 428 General, the Office of Program Policy Analysis and Government
 429 Accountability, the Governor's Office of Policy and Budget
 430 Planning and Budgeting, and the public regarding the proper
 431 level of funding for the agency in order to carry out its
 432 mission.

433 Section 4. Subsection (4) of section 216.163, Florida
 434 Statutes, is amended to read:

435 216.163 Governor's recommended budget; form and content;

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436 declaration of collective bargaining impasses.-

437 ~~(4) The Executive Office of the Governor shall review the~~
 438 ~~findings of the Office of Program Policy Analysis and Government~~
 439 ~~Accountability, to the extent they are available, request any~~
 440 ~~reports or additional analyses as necessary, and submit a~~
 441 ~~recommendation for executive agencies, which may include a~~
 442 ~~recommendation regarding incentives or disincentives for agency~~
 443 ~~performance. Incentives or disincentives may apply to all or~~
 444 ~~part of a state agency. The Chief Justice shall review the~~
 445 ~~findings of the Office of Program Policy Analysis and Government~~
 446 ~~Accountability regarding judicial branch performance and make~~
 447 ~~appropriate recommendations for the judicial branch.~~

448 ~~(a) Incentives may include, but are not limited to:~~

449 ~~1. Additional flexibility in budget management, such as,~~
 450 ~~but not limited to, the use of lump sums or special categories;~~
 451 ~~consolidation of budget entities or program components;~~
 452 ~~consolidation of appropriation categories; and increased agency~~
 453 ~~transfer authority between appropriation categories or budget~~
 454 ~~entities.~~

455 ~~2. Additional flexibility in salary rate and position~~
 456 ~~management.~~

457 ~~3. Retention of up to 50 percent of all unencumbered~~
 458 ~~balances of appropriations as of June 30, or undisbursed~~
 459 ~~balances as of December 31, excluding special categories and~~
 460 ~~grants and aids, which may be used for nonrecurring purposes~~
 461 ~~including, but not limited to, lump-sum bonuses, employee~~
 462 ~~training, or productivity enhancements, including technology and~~
 463 ~~other improvements.~~

464 ~~4. Additional funds to be used for, but not limited to,~~

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465 ~~lump-sum bonuses, employee training, or productivity~~
 466 ~~enhancements, including technology and other improvements.~~

467 ~~5. Additional funds provided pursuant to law to be released~~
 468 ~~to an agency quarterly or incrementally contingent upon the~~
 469 ~~accomplishment of units of output or outcome specified in the~~
 470 ~~General Appropriations Act.~~

471 ~~(b) Disincentives may include, but are not limited to:~~

472 ~~1. Mandatory quarterly reports to the Executive Office of~~
 473 ~~the Governor and the Legislature on the agency's progress in~~
 474 ~~meeting performance standards.~~

475 ~~2. Mandatory quarterly appearances before the Legislature,~~
 476 ~~the Governor, or the Governor and Cabinet to report on the~~
 477 ~~agency's progress in meeting performance standards.~~

478 ~~3. Elimination or restructuring of the program, which may~~
 479 ~~include, but not be limited to, transfer of the program or~~
 480 ~~outsourcing all or a portion of the program.~~

481 ~~4. Reduction of total positions for a program.~~

482 ~~5. Restriction on or reduction of the spending authority~~
 483 ~~provided in s. 216.292(2)(b).~~

484 ~~6. Reduction of managerial salaries.~~

485 Section 5. Subsection (3) of section 216.177, Florida
 486 Statutes, is amended to read:

487 216.177 Appropriations acts, statement of intent,
 488 violation, notice, review and objection procedures.—

489 ~~(3) The Legislature may annually specify any incentives and~~
 490 ~~disincentives for agencies operating programs under performance-~~
 491 ~~based budgets pursuant to this chapter in the General~~
 492 ~~Appropriations Act or legislation implementing the General~~
 493 ~~Appropriations Act.~~

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494 Section 6. Paragraph (b) of subsection (10) of section
 495 216.181, Florida Statutes, is amended to read:

496 216.181 Approved budgets for operations and fixed capital
 497 outlay.—

498 (10)

499 (b) Lump-sum salary bonuses may be provided only if
 500 specifically appropriated or provided pursuant to s. 110.1245 ~~or~~
 501 ~~s. 216.1815.~~

502 Section 7. Section 216.1815, Florida Statutes, is repealed.

503 Section 8. Section 216.1826, Florida Statutes, is repealed.

504 Section 9. Section 216.1827, Florida Statutes, is amended
 505 to read:

506 216.1827 Requirements for performance measures, outcomes,
 507 and standards.—

508 (1) Each state agency ~~Agencies~~ and the judicial branch
 509 shall maintain a ~~comprehensive performance accountability system~~
 510 ~~containing, at a minimum, a list of performance measures,~~
 511 outcomes, and standards as required by that are adopted by the
 512 ~~Legislature and subsequently amended pursuant to this section.~~

513 (2) Each state agency and the judicial branch shall adopt
 514 the following performance measures, outcomes, and standards:

515 (a) Administrative costs as a percentage of total agency
 516 costs, including salaries and benefits and excluding fixed
 517 capital outlay.

518 (b) Percentage of vacant positions filled within 180 days
 519 after becoming vacant.

520 (c) Total dollar amount of salary increases awarded,
 521 delineated by the subtotal dollar amount of the increases
 522 specifically authorized in the General Appropriations Act or

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523 other law and the subtotal dollar amount of the increases
 524 awarded without specific legislative authorization.

525 (d) Percentage of corrective actions taken within 6 months
 526 after receipt of audit findings and management letters issued to
 527 resolve such findings or letters from financial and operational
 528 audits conducted pursuant to s. 11.45.

529 (e) Private attorney service costs dollar amounts by case
 530 and as a percentage of total agency legal costs, legal costs
 531 paid to the Attorney General's office by case and as a
 532 percentage of total agency legal costs, and total agency legal
 533 costs as a percentage of total agency budget.

534 (f) Total dollar amount of expenditures by state term
 535 contract as defined in s. 287.012, contracts procured using
 536 alternative purchasing methods as authorized pursuant to s.
 537 287.042(16), and agency procurements through request for
 538 proposal, invitation to negotiate, invitation to bid, single
 539 source, and emergency purchases.

540 (g) If applicable, the number of complete applications
 541 received and the average number of days to complete a permit, a
 542 licensure, a registration, or a certification process, from the
 543 date of the receipt of initial application to final agency
 544 action, for each permit, license, registration, or certification
 545 issued by the agency or judicial branch.

546 (h) If applicable, the total number of required
 547 inspections, total number of inspections completed, and
 548 percentage of required inspections completed.

549 (i) If applicable, average number of calendar days to award
 550 and contract for noncompetitive projects or grant programs for
 551 state or federal funds from the date of receipt of funds by the

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552 agency or receipt of budget authority, whichever is later.

553 (3) In addition to the performance measures, outcomes, and
 554 standards required by subsection (2), each agency and the
 555 judicial branch shall develop and adopt at least five additional
 556 performance measures, outcomes, and standards. Additional
 557 performance measures, outcomes, and standards must include key
 558 state agency or judicial branch functions. When developing the
 559 additional performance measures, outcomes, and standards, each
 560 state agency and the judicial branch shall take all of the
 561 following into consideration:

562 (a) The mission of the agency or judicial branch, state
 563 goals and objectives, and statutory policy.

564 (b) Programs, outputs, and activities that are key agency
 565 or judicial branch functions.

566 (c) Selection of data elements that best and most
 567 accurately measure progress toward state goals and objectives,
 568 including facilitating analysis of any deviation from expected
 569 performance.

570 (4) Each state agency and the judicial branch shall
 571 maintain the justification for each performance measure,
 572 outcome, or standard, and the sources of data to be used.

573 (5)-(2)-(a) Each state agency ~~Agencies~~ and the judicial
 574 branch shall submit long-range program plans with performance
 575 measures in the form, manner, and timeframe ~~output and outcome~~
 576 ~~measures and standards, as well as historical baseline and~~
 577 ~~performance data~~ pursuant to s. 216.013. The long-range program
 578 plan must provide:

579 (a) Information regarding measurement of the performance
 580 measures, including how the data is collected, baseline data,

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581 the methodology used for measurement, the reason for the
 582 measurement, and the validity and reliability of the
 583 measurement.

584 (b) Data for the previous 5 years related to the
 585 performance measures, outcomes, and standards and an explanation
 586 of deviation from expected performance.

587 (6) Each state agency ~~Agencies~~ and the judicial branch
 588 shall also submit performance data, measures, outcomes, and
 589 standards, including any information required by this section,
 590 to the Office of Program Policy Analysis and Government
 591 Accountability upon request for review of the adequacy of the
 592 legislatively approved measures and standards.

593 (7) For each state agency and the judicial branch,
 594 performance measures, outcomes, and standards, including any
 595 amendments thereto, must be adopted by the Legislative Budget
 596 Commission.

597 ~~(3)~~ (a) At least 30 days before the scheduled annual
 598 legislative session, a state an agency or the Chief Justice of
 599 the Supreme Court may submit requests to delete or amend its
 600 existing approved performance measures, outcomes, and standards
 601 or activities, including alignment of activities to performance
 602 measures, or submit requests to create additional performance
 603 measures, outcomes, and standards or activities to the
 604 Legislature Executive Office of the Governor for review and
 605 approval. The request must shall document the justification for
 606 the change and ensure that the revision, deletion, amendment, or
 607 addition is consistent with legislative intent. Such deletion,
 608 amendment, or addition is subject to review and approval by the
 609 Legislative Budget Commission ~~Revisions or deletions to or~~

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610 ~~additions of performance measures and standards approved by the~~
 611 ~~Executive Office of the Governor are subject to the review and~~
 612 ~~objection procedure set forth in s. 216.177.~~

613 (b) Each state agency and the judicial branch shall make
 614 appropriate adjustments to their performance measures, outcomes,
 615 and standards to be consistent with the appropriations in the
 616 General Appropriations Act, legislation implementing the General
 617 Appropriations Act, or other enacted legislation. State agencies
 618 and the judicial branch have 30 days after the effective date of
 619 the General Appropriations Act or other enacted legislation to
 620 propose adjustments to their plans for review and approval by
 621 the Legislative Budget Commission ~~The Chief Justice of the~~
 622 ~~Supreme Court may submit deletions or amendments of the judicial~~
 623 ~~branch's existing approved performance measures and standards or~~
 624 ~~may submit additional performance measures and standards to the~~
 625 ~~Legislature accompanied with justification for the change and~~
 626 ~~ensure that the revision, deletion, or addition is consistent~~
 627 ~~with legislative intent. Revisions or deletions to, or additions~~
 628 ~~of performance measures and standards submitted by the Chief~~
 629 ~~Justice of the Supreme Court are subject to the review and~~
 630 ~~objection procedure set forth in s. 216.177.~~

631 ~~(4) (a) The Legislature may create, amend, and delete~~
 632 ~~performance measures and standards. The Legislature may confer~~
 633 ~~with the Executive Office of the Governor for state agencies and~~
 634 ~~the Chief Justice of the Supreme Court for the judicial branch~~
 635 ~~prior to any such action.~~

636 ~~(b) The Legislature may require state agencies to submit~~
 637 ~~requests for revisions, additions, or deletions to approved~~
 638 ~~performance measures and standards to the Executive Office of~~

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639 the Governor for review and approval, subject to the review and
640 objection procedure set forth in s. 216.177.

641 (c) ~~The Legislature may require the judicial branch to~~
642 ~~submit revisions, additions, or deletions to approved~~
643 ~~performance measures and standards to the Legislature, subject~~
644 ~~to the review and objection procedure set forth in s. 216.177.~~

645 (d) Any new state agency created by the Legislature shall
646 establish is subject to the initial performance measures,
647 outcomes, and standards thereof, subject to review and approval
648 by the Legislative Budget Commission established by the
649 Legislature. The Legislature may require state agencies and the
650 judicial branch to provide any information necessary to create
651 initial performance measures and standards.

652 (d) Each state agency and the judicial branch shall submit
653 new performance measures, outcomes, and standards, including the
654 information required by this section, to the Legislative Budget
655 Commission by December 1, 2025. This paragraph expires on
656 December 31, 2026.

657 Section 10. Subsection (4) of section 216.262, Florida
658 Statutes, is amended to read:

659 216.262 Authorized positions.—

660 (4) Notwithstanding the provisions of this chapter relating
661 to increasing the number of authorized positions, ~~and for the~~
662 ~~2024-2025 fiscal year only~~, if the actual inmate population of
663 the Department of Corrections in the current fiscal year exceeds
664 the inmate population projections of the most recently adopted
665 forecast published by the December 15, 2023, Criminal Justice
666 Estimating Conference for the current fiscal year by 1 percent
667 for 2 consecutive months or 2 percent for any month, the

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668 Executive Office of the Governor, with the approval of the
669 Legislative Budget Commission, shall immediately notify the
670 Criminal Justice Estimating Conference, which shall convene as
671 soon as possible to revise the estimates. The Department of
672 Corrections may then submit a budget amendment requesting the
673 establishment of positions in excess of the number authorized by
674 the Legislature and additional appropriations from unallocated
675 general revenue sufficient to provide for essential staff, fixed
676 capital improvements, and other resources to provide
677 classification, security, food services, health services, and
678 other variable expenses within the institutions to accommodate
679 the estimated increase in the inmate population. All actions
680 taken pursuant to this subsection are subject to review and
681 approval by the Legislative Budget Commission. ~~This subsection~~
682 ~~expires July 1, 2025.~~

683 Section 11. Present paragraph (b) of subsection (1) of
684 section 216.292, Florida Statutes, is redesignated as paragraph
685 (c), a new paragraph (b) is added to that subsection, and
686 paragraph (a) of subsection (1) and subsection (2) of that
687 section are amended, to read:

688 216.292 Appropriations nontransferable; exceptions.—

689 (1) (a) Funds provided in the General Appropriations Act or
690 as otherwise expressly provided by law shall be expended only
691 for the purpose for which appropriated, except that such moneys
692 may be transferred as provided in this section when it is
693 determined to be in the best interest of the state.
694 Appropriations for fixed capital outlay may not be expended for
695 any other purpose. Appropriations may not be transferred between
696 state agencies, or between a state agency and the judicial

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697 branch, unless specifically authorized by law or specifically
 698 authorized in the General Appropriations Act.

699 (b) The Executive Office of the Governor may transfer funds
 700 within and between state agencies for the sole purpose of
 701 implementing statewide distributions for risk management
 702 insurance, human resource services, and data processing
 703 services. Transfers and adjustments are subject to the notice,
 704 review, and objection procedures of s. 216.177.

705 (2) The following transfers are authorized to be made by
 706 the head of each department or the Chief Justice of the Supreme
 707 Court whenever it is deemed necessary by reason of changed
 708 conditions:

709 (a) The transfer of appropriations funded from identical
 710 funding sources, except appropriations for fixed capital outlay,
 711 and the transfer of amounts included within the total original
 712 approved budget and plans of releases of appropriations as
 713 furnished pursuant to ss. 216.181 and 216.192, as follows:

714 1. Between categories of appropriations within a budget
 715 entity, if no category of appropriation is increased or
 716 decreased by more than 5 percent of the original approved budget
 717 or \$250,000, whichever is greater, by all action taken under
 718 this subsection.

719 2. Between budget entities within identical categories of
 720 appropriations, if no category of appropriation is increased or
 721 decreased by more than 5 percent of the original approved budget
 722 or \$250,000, whichever is greater, by all action taken under
 723 this subsection.

724 3. Any agency exceeding salary rate established pursuant to
 725 s. 216.181(8) on June 30th of any fiscal year may shall not be

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726 ~~authorized to~~ make transfers pursuant to subparagraphs 1. and 2.
 727 in the subsequent fiscal year.

728 4. Notice of proposed transfers under subparagraphs 1. and
 729 2. shall be provided to the Executive Office of the Governor and
 730 the chairs of the legislative appropriations committees at least
 731 3 days prior to agency implementation in order to provide an
 732 opportunity for review. The review shall be limited to ensuring
 733 that the transfer is in compliance with the requirements of this
 734 paragraph.

735 5. ~~For the 2024-2025 fiscal year,~~ The review shall ensure
 736 that transfers proposed pursuant to this paragraph comply with
 737 this chapter, maximize the use of available and appropriate
 738 trust funds, and are not contrary to legislative policy and
 739 intent. ~~This subparagraph expires July 1, 2025.~~

740 (b) After providing notice at least 5 working days prior to
 741 implementation:

742 1. The transfer of funds within programs identified in the
 743 General Appropriations Act from identical funding sources
 744 between the following appropriation categories without
 745 limitation so long as such a transfer does not result in an
 746 increase, to the total recurring general revenue or trust fund
 747 cost of the agency or entity of the judicial branch in the
 748 subsequent fiscal year: other personal services, expenses,
 749 operating capital outlay, food products, state attorney and
 750 public defender operations, data processing services, operating
 751 and maintenance of patrol vehicles, overtime payments, salary
 752 incentive payments, compensation to retired judges, law
 753 libraries, and juror and witness payments.

754 2. The transfer of funds and positions from identical

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755 funding sources between salaries and benefits appropriation
 756 categories within programs identified in the General
 757 Appropriations Act. Such transfers must be consistent with
 758 legislative policy and intent and may not adversely affect
 759 achievement of approved performance outcomes or outputs in any
 760 program.

761 (c) The transfer of funds appropriated to accounts
 762 established for disbursement purposes upon release of such
 763 appropriation upon request of a department and approval by the
 764 Chief Financial Officer. Such transfer may only be made to the
 765 same appropriation category and the same funding source from
 766 which the funds are transferred.

767 Section 12. Paragraphs (a) and (b) of subsection (2) of
 768 section 20.055, Florida Statutes, are amended to read:

769 20.055 Agency inspectors general.—

770 (2) An office of inspector general is established in each
 771 state agency to provide a central point for coordination of and
 772 responsibility for activities that promote accountability,
 773 integrity, and efficiency in government. It is the duty and
 774 responsibility of each inspector general, with respect to the
 775 state agency in which the office is established, to:

776 (a) Advise in the development of performance measures,
 777 outcomes, standards, and procedures for the evaluation of state
 778 agency programs.

779 ~~(b) Assess the reliability and validity of the information~~
 780 ~~provided by the state agency on performance measures and~~
 781 ~~standards, and make recommendations for improvement, if~~
 782 ~~necessary, before submission of such information pursuant to s.~~
 783 ~~216.1827.~~

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784 Section 13. Paragraph (a) of subsection (52) and paragraph
 785 (a) of subsection (53) of section 121.021, Florida Statutes, are
 786 amended to read:

787 121.021 Definitions.—The following words and phrases as
 788 used in this chapter have the respective meanings set forth
 789 unless a different meaning is plainly required by the context:

790 (52) "Regularly established position" means:

791 (a) With respect to a state employer, a position that is
 792 authorized and established pursuant to law and is compensated
 793 from a salaries and benefits appropriation pursuant to s.
 794 216.011(1)(pp) ~~s. 216.011(1)(pp)~~, or an established position
 795 that is authorized pursuant to s. 216.262(1)(a) and (b) and is
 796 compensated from a salaries account as provided in s.
 797 216.011(qq) ~~s. 216.011(1)(ss)~~.

798 (53) "Temporary position" means:

799 (a) With respect to a state employer, a position that is
 800 compensated from an other personal services (OPS) account as
 801 provided in s. 216.011(1)(hh) ~~s. 216.011(1)(jj)~~.

802 Section 14. Subsection (8) of section 121.051, Florida
 803 Statutes, is amended to read:

804 121.051 Participation in the system.—

805 (8) DIVISION OF REHABILITATION AND LIQUIDATION EMPLOYEES
 806 MEMBERSHIP.—Effective July 1, 1994, the regular receivership
 807 employees of the Division of Rehabilitation and Liquidation of
 808 the Department of Financial Services who are assigned to
 809 established positions and are subject to established rules and
 810 regulations regarding discipline, pay, classification, and time
 811 and attendance are hereby declared to be state employees within
 812 the meaning of this chapter and shall be compulsory members in

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813 compliance with this chapter, the provisions of s.
 814 216.011(1)(hh)2. ~~s. 216.011(1)(jj)2.~~, notwithstanding.
 815 Employment performed before July 1, 1994, as such a receivership
 816 employee may be claimed as creditable retirement service upon
 817 payment by the employee or employer of contributions required in
 818 s. 121.081(1), as applicable for the period claimed.

819 Section 15. Section 186.021, Florida Statutes, is amended
 820 to read:

821 186.021 Long-range program plans.—Pursuant to s. 216.013,
 822 each state agency shall develop a long-range program plan ~~on an~~
 823 ~~annual basis~~. The plan must shall provide the framework and
 824 context for designing and interpreting the agency budget
 825 request. The plan must will be developed through careful
 826 examination and justification of agency functions ~~and their~~
 827 ~~associated costs~~. An agency shall use the long-range program
 828 plan It shall be used by the agency to implement the state's
 829 goals and objectives. The agency shall also develop performance
 830 measures, outcomes, and standards to measure programs, outputs,
 831 Indicators shall be developed to measure service and activity
 832 performance.

833 Section 16. Paragraph (b) of subsection (3) of section
 834 420.0003, Florida Statutes, is amended to read:

835 420.0003 State housing strategy.—

836 (3) IMPLEMENTATION.—The state, in carrying out the strategy
 837 articulated in this section, shall have the following duties:

838 (b) The long-range ~~program~~ plan of the corporation
 839 ~~department~~ must include specific performance measures, goals,
 840 and objectives, ~~and strategies~~ that implement the housing
 841 policies in this section.

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842 Section 17. Section 420.511, Florida Statutes, is amended
 843 to read:

844 420.511 Strategic business plan; long-range ~~program~~ plan;
 845 annual report; audited financial statements.—

846 (1) The corporation shall develop a strategic business plan
 847 for the provision of affordable housing for the state. The plan
 848 must be consistent with the long-range ~~program~~ plan prepared
 849 pursuant to subsection (2) and must shall contain performance
 850 measures and specific performance targets for the following:

851 (a) The ability of low-income and moderate-income
 852 Floridians to access housing that is decent and affordable.

853 (b) The continued availability and affordability of housing
 854 financed by the corporation to target populations.

855 (c) The availability of affordable financing programs,
 856 including equity and debt products, and programs that reduce
 857 gaps in conventional financing in order to increase individual
 858 access to housing and stimulate private production of affordable
 859 housing.

860 (d) The establishment and maintenance of efficiencies in
 861 the delivery of affordable housing.

862 (e) Such other measures as directed by the corporation's
 863 board of directors.

864 (2) The corporation, ~~in coordination with the department,~~
 865 shall annually develop a long-range ~~program~~ plan for the
 866 provision of affordable housing in this state as required
 867 pursuant to chapter 186. In part, the plan must include
 868 provisions that maximize the abilities of the corporation to
 869 implement the state housing strategy established under s.
 870 420.0003, to respond to federal housing initiatives, and to

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871 develop programs in a manner that is more responsive to the
 872 needs of public and private partners. The plan ~~must shall~~ be
 873 developed on a schedule consistent with that established by s.
 874 186.021. ~~For purposes of this section, the Secretary of Commerce~~
 875 ~~or his or her designee shall serve as the corporation's~~
 876 ~~representative to achieve a coordinated and integrated planning~~
 877 ~~relationship with the department.~~

878 (3) The corporation shall submit to the Governor and the
 879 presiding officers of each house of the Legislature, within 6
 880 months after the end of its fiscal year, a complete and detailed
 881 report setting forth the corporation's state and federal program
 882 accomplishments using the most recent available data. The report
 883 must include, but is not limited to:

884 (a) The following tenant characteristics in the existing
 885 rental units financed through corporation-administered programs:

886 1. The number of households served, delineated by income,
 887 race, ethnicity, and age of the head of household.

888 2. The number of households served in large, medium, and
 889 small counties as described in s. 420.5087(1) and the extent to
 890 which geographic distribution has been achieved in accordance
 891 with s. 420.5087.

892 3. The number of farmworker and commercial fishing worker
 893 households served.

894 4. The number of homeless households served.

895 5. The number of special needs households served.

896 6. By county, the average rent charged based on unit size.

897 (b) The number of rental units to which resources have been
 898 allocated in the last fiscal year, including income and
 899 demographic restrictions.

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900 (c) The estimated average cost of producing units under
 901 each rental or homeownership unit financed under each program in
 902 the last fiscal year.

903 (d) By county, the average sales price of homeownership
 904 units financed in the last fiscal year.

905 (e) The number of households served by homeownership
 906 programs in the last fiscal year, including the income, race,
 907 ethnicity, and age of the homeowner of each household.

908 (f) The percentage of homeownership loans that are in
 909 foreclosure.

910 (g) The percentage of properties in the corporation's
 911 rental portfolio which have an occupancy rate below 90 percent.

912 (h) The amount of economic stimulus created by the
 913 affordable housing finance programs administered by the
 914 corporation for the most recent year available.

915 (i) For the State Apartment Incentive Loan Program (SAIL),
 916 a comprehensive list of all closed loans outstanding at the end
 917 of the most recent fiscal year, including, but not limited to,
 918 development name, city, county, developer, set-aside type, set-
 919 aside percentage, affordability term, total number of units,
 920 number of set-aside units, lien position, original loan amount,
 921 loan maturity date, loan balance at close of year, status of
 922 loan, rate of interest, and interest paid.

923 (j) For the Florida Affordable Housing Guarantee Program, a
 924 list of all guaranteed loans through the close of the most
 925 recent fiscal year, including, but not limited to, development
 926 name, city, county, developer, total number of units, issuer of
 927 the bonds, loan maturity date, participation in the United
 928 States Department of Housing and Urban Development Risk-Sharing

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929 Program, original guarantee amount, guarantee amount at the
930 close of the fiscal year, status of guaranteed loans, and total
931 outstanding Florida Housing Finance Corporation Affordable
932 Housing Guarantee Program revenue bonds at the close of the most
933 recent fiscal year.

934 (k) Any other information the corporation deems
935 appropriate.

936 (4) Within 6 months after the end of its fiscal year, the
937 corporation shall submit audited financial statements, prepared
938 in accordance with generally accepted accounting principles,
939 which include all assets, liabilities, revenues, and expenses of
940 the corporation, and a list of all bonds outstanding at the end
941 of its fiscal year. The audit must be conducted by an
942 independent certified public accountant, performed in accordance
943 with generally accepted auditing standards and government
944 auditing standards, and incorporate all reports, including
945 compliance reports, as required by such auditing standards.

946 (5) The Auditor General shall conduct an operational audit
947 of the accounts and records of the corporation and provide a
948 written report on the audit to the President of the Senate and
949 the Speaker of the House of Representatives by December 1, 2016.

950 Section 18. Paragraph (a) of subsection (6) of section
951 489.145, Florida Statutes, is amended to read:

952 489.145 Guaranteed energy, water, and wastewater
953 performance savings contracting.—

954 (6) PROGRAM ADMINISTRATION AND CONTRACT REVIEW.—The
955 Department of Management Services, with the assistance of the
956 Office of the Chief Financial Officer, shall, within available
957 resources, provide technical content assistance to state

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958 agencies contracting for energy, water, and wastewater
959 efficiency and conservation measures and engage in other
960 activities considered appropriate by the department for
961 promoting and facilitating guaranteed energy, water, and
962 wastewater performance contracting by state agencies. The
963 Department of Management Services shall review the investment-
964 grade audit for each proposed project and certify that the cost
965 savings are appropriate and sufficient for the term of the
966 contract. The Office of the Chief Financial Officer, with the
967 assistance of the Department of Management Services, shall,
968 within available resources, develop model contractual and
969 related documents for use by state agencies. Before entering
970 into a guaranteed energy, water, and wastewater performance
971 savings contract, a contract or lease for third-party financing,
972 or any combination of such contracts, a state agency shall
973 submit such proposed contract or lease to the Office of the
974 Chief Financial Officer for review and approval. The Office of
975 the Chief Financial Officer shall complete its review and
976 approval within 10 business days after receiving the proposed
977 contract or lease. A proposed contract or lease with a state
978 agency must include the following:

979 (a) Supporting information required by s. 216.023(4)(i) ~~or~~
980 ~~216.023(4)(a)9.~~ in ss. 287.063(5) and 287.064(11). For contracts
981 approved under this section, the criteria may, at a minimum,
982 include the specification of a benchmark cost of capital and
983 minimum real rate of return on energy, water, or wastewater
984 savings against which proposals shall be evaluated.

985
986 The Office of the Chief Financial Officer shall not approve any

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987 contract submitted under this section from a state agency that
 988 does not meet the requirements of this section.

989 Section 19. Paragraph (c) of subsection (5) of section
 990 985.619, Florida Statutes, is amended to read:
 991 985.619 Florida Scholars Academy.—
 992 (5) FUNDING.—
 993 (c) The fiscal year for the Florida Scholars Academy is the
 994 fiscal year of the state as defined in s. 216.011(1)(n) ~~s.~~
 995 ~~216.011(1)(e)~~.

996 Section 20. Paragraph (a) of subsection (2) of section
 997 1002.37, Florida Statutes, is amended to read:
 998 1002.37 The Florida Virtual School.—
 999 (2) The Florida Virtual School shall be governed by a board
 1000 of trustees comprised of seven members appointed by the Governor
 1001 to 4-year staggered terms. The board of trustees shall be a
 1002 public agency entitled to sovereign immunity pursuant to s.
 1003 768.28, and board members shall be public officers who shall
 1004 bear fiduciary responsibility for the Florida Virtual School.
 1005 The board of trustees shall have the following powers and
 1006 duties:
 1007 (a)1. The board of trustees shall meet at least 4 times
 1008 each year, upon the call of the chair, or at the request of a
 1009 majority of the membership.
 1010 2. The fiscal year for the Florida Virtual School shall be
 1011 the state fiscal year as provided in s. 216.011(1)(p) ~~s.~~
 1012 ~~216.011(1)(q)~~.

1013
 1014 The Governor shall designate the initial chair of the board of
 1015 trustees to serve a term of 4 years. Members of the board of

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1016 trustees shall serve without compensation, but may be reimbursed
 1017 for per diem and travel expenses pursuant to s. 112.061. The
 1018 board of trustees shall be a body corporate with all the powers
 1019 of a body corporate and such authority as is needed for the
 1020 proper operation and improvement of the Florida Virtual School.
 1021 The board of trustees is specifically authorized to adopt rules,
 1022 policies, and procedures, consistent with law and rules of the
 1023 State Board of Education related to governance, personnel,
 1024 budget and finance, administration, programs, curriculum and
 1025 instruction, travel and purchasing, technology, students,
 1026 contracts and grants, and property as necessary for optimal,
 1027 efficient operation of the Florida Virtual School. Tangible
 1028 personal property owned by the board of trustees shall be
 1029 subject to the provisions of chapter 273.

1030 Section 21. For the purpose of incorporating the amendment
 1031 made by this act to section 216.013, Florida Statutes, in a
 1032 reference thereto, paragraph (d) of subsection (5) of section
 1033 402.56, Florida Statutes, is reenacted to read:
 1034 402.56 Children's cabinet; organization; responsibilities;
 1035 annual report.—
 1036 (5) DUTIES AND RESPONSIBILITIES.—The Children and Youth
 1037 Cabinet shall:
 1038 (d) Design and implement actions that will promote
 1039 collaboration, creativity, increased efficiency, information
 1040 sharing, and improved service delivery between and within state
 1041 governmental organizations that provide services for children
 1042 and youth and their families. In particular, the efforts shall
 1043 include the long-range planning process mandated by s. 216.013.
 1044 Section 22. This act shall take effect July 1, 2025.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Judiciary, *Chair*
Appropriations Committee on Criminal and Civil Justice
Appropriations Committee on Pre-K - 12 Education
Commerce and Tourism
Criminal Justice
Education Pre-K - 12
Fiscal Policy

JOINT COMMITTEE:

Joint Administrative Procedures Committee

SENATOR CLAY YARBOROUGH

4th District

March 27, 2025

Chair Joe Gruters
413 Senate Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Chair Gruters,

I respectfully request an excusal from the Thursday, March 27, 2025, Fiscal Policy Committee meeting.

Thank you for your consideration of this request.

Regards,

A handwritten signature in blue ink that reads "Clay Yarborough".

Clay Yarborough

REPLY TO:

- 1615 Huffingham Road, Suite 1, Jacksonville, Florida 32216 (904) 723-2034
- 308 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5004

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

CourtSmart Tag Report

Room: KB 412

Case No.: -

Type:

Caption: Senate Fiscal Policy Committee

Judge:

Started: 3/27/2025 1:00:24 PM

Ends: 3/27/2025 2:34:43 PM

Length: 01:34:20

1:00:24 PM Chair Gruters calls meeting to order
1:00:27 PM Roll Call
1:00:59 PM Chair Gruters makes opening remarks
1:01:14 PM Tab 5, SB 7024 by Senator Brodeur, State Planning and Budgeting
1:01:26 PM Senator Brodeur explains the bill
1:02:23 PM Senator Brodeur closes on the bill
1:02:31 PM Roll Call on SB 7024
1:03:08 PM Tab 2, SB 166 by Senator Simon, Administrative Efficiency in Public Schools
1:03:13 PM Senator Simon explains the bill
1:05:49 PM Amendment Barcode #243396
1:05:56 PM Senator Simon explains the amendment
1:06:29 PM Chair Gruters recognizes public testimony:
1:06:33 PM Mark Anderson, Wozniack Education
1:07:10 PM Debate:
1:07:10 PM Vice Chair Osgood
1:07:54 PM Senator Simon waives close
1:07:56 PM Chair Gruters reports amendment
1:08:02 PM Amendment Barcode #672844
1:08:17 PM Senator Simon explains the bill
1:08:43 PM Senator Simon waives close
1:08:47 PM Chair Gruters reports amendment
1:08:54 PM Questions:
1:08:57 PM Senator Jones
1:09:36 PM Senator Simon
1:10:16 PM Senator Jones
1:10:58 PM Senator Simon
1:11:33 PM Senator Jones
1:12:35 PM Senator Simon
1:12:50 PM Chair Gruters recognizes public testimony:
1:15:46 PM Senator Simon closes on the bill
1:16:23 PM Roll Call on CS/SB166
1:17:03 PM Tab 1, CS/SB 164 by Senator Rodriguez, Vessel Accountability
1:17:07 PM Senator Rodriguez explains the bill
1:17:52 PM Chair Gruters recognizes public testimony
1:18:05 PM Debate:
1:18:07 PM Senator Jones
1:18:37 PM Senator Rodriguez closes on the bill
1:18:45 PM Roll Call on CS/SB 164
1:19:18 PM Tab 4, SB 472 by Senator Truenow, Education in Correctional Facilities for Licensed Professionals
1:19:31 PM Senator Truenow explains the bill
1:19:57 PM Amendment Barcode #752532
1:20:08 PM Senator Truenow explains the amendment
1:20:14 PM Senator Truenow waives close
1:20:19 PM Chair Gruters reports amendment
1:20:26 PM Chair Gruters recognizes public testimony:
1:20:46 PM Paul Figueron, Florida Association of Criminal Defense Lawyers
1:21:40 PM Senator Truenow closes on the bill
1:21:49 PM Roll Call on CS/SB 472
1:22:22 PM Tab 3, CS/SB 438 by Senator Burton, Food and Hemp Products
1:22:31 PM Senator Burton explains the bill
1:29:41 PM Questions:
1:29:42 PM Chair Gruters

1:29:54 PM Senator Burton
1:30:36 PM Chair Gruters
1:31:17 PM Senator Burton
1:31:26 PM Senator Bradley
1:31:48 PM Senator Burton
1:32:17 PM Chair Gruters recognizes public testimony:
1:32:39 PM Areli Bryan
1:37:59 PM Adam Houston
1:39:28 PM Scott Dick, ABC Fine Wine & Spirits
1:45:48 PM James Johnston
1:47:26 PM Alex Petrick
1:49:18 PM Jack Sherrie, Delta Beverages
1:50:46 PM Melissa Villar, The Holistic Cannabis Coalition
1:57:12 PM Vice Chair Osgood
1:57:33 PM Melissa Villar
1:57:57 PM Vice Chair Osgood
1:58:14 PM Melissa Villar
1:58:20 PM William Clark, Libertarian Party of Florida
2:00:57 PM Jessica Spencer
2:04:37 PM Michael Pool
2:06:57 PM Scott Ashley, Wine & Spirits Distributors of Florida
2:08:16 PM Michael Smith
2:13:11 PM Jared Ross, Florida Beer Wholesalers Association
2:15:19 PM Chair Gruters reads appearance cards waiving
2:15:43 PM Debate:
2:15:47 PM Senator Boyd
2:17:35 PM Senator Truenow
2:18:59 PM Senator Simon
2:22:05 PM Vice Chair Osgood
2:27:23 PM Senator Burton closes on the bill
2:27:36 PM Senator Davis closes on the bill
2:33:41 PM Roll Call on CS/SB 438
2:34:17 PM Senator Jones moves to record a missed vote
2:34:25 PM Senator Rodriguez moves to record missed vote
2:34:35 PM Meeting adjourned