

Tab 1	CS/CS/SB 118 by FT, CA, Truenow ; Similar to H 00039 Assessments Levied on Recreational Vehicle Parks
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Tab 2	CS/SB 896 by CJ, Gaetz ; Similar to CS/CS/H 00757 School Safety
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Tab 3	CS/CS/SB 1220 by ATD, TR, Massullo ; Compare to CS/H 01233 Transportation				
806286	A	S	AP, Massullo	Delete L.126 - 648:	02/23 08:54 AM

Tab 4	CS/CS/SB 1690 by ED, CF, Calatayud ; Similar to CS/CS/CS/H 00765 Child Care and Early Learning Services				
538766	A	S	AP, Calatayud	Delete L.465 - 651:	02/20 04:14 PM

Tab 5	CS/SB 1756 by HP, Yarborough ; Compare to H 00917 Medical Freedom
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS
Senator Hooper, Chair
Senator Rouson, Vice Chair

MEETING DATE: Tuesday, February 24, 2026
TIME: 9:00—11:00 a.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator Hooper, Chair; Senator Rouson, Vice Chair; Senators Berman, Brodeur, Burgess, DiCeglie, Garcia, Grall, Harrell, Martin, Massullo, McClain, Pizzo, Polsky, Sharief, Smith, Trumbull, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/CS/SB 118 Finance and Tax / Community Affairs / Truenow (Similar H 39)	Assessments Levied on Recreational Vehicle Parks; Prohibiting counties, municipalities, and special districts, respectively, from levying certain special assessments against more than a specified square footage amount per recreational vehicle parking space or campsite, etc. CA 11/18/2025 Fav/CS FT 02/12/2026 Fav/CS AP 02/24/2026	
2	CS/SB 896 Criminal Justice / Gaetz (Similar CS/CS/H 757)	School Safety; Requiring sheriffs to assist public postsecondary educational institutions in implementing guardian programs under certain provisions; authorizing public postsecondary educational institutions to participate in the school guardian program; creating the offense of discharging a weapon or firearm within 1,000 feet of a school, etc. CJ 02/11/2026 Fav/CS AP 02/24/2026	
3	CS/CS/SB 1220 Appropriations Committee on Transportation, Tourism, and Economic Development / Transportation / Massullo (Compare CS/H 1233)	Transportation; Providing requirements for an infrastructure development and improvement component included in a port's strategic plan; requiring the Department of Transportation to coordinate with the Department of Commerce, specified ports, and the Federal Government for a certain purpose; prohibiting counties and municipalities from enacting, imposing, levying, collecting, or enforcing certain operating fees and advertising regulations; authorizing certain rental trucks to elect a permanent registration period; revising duties of the Department of Transportation relating to airport systems in this state, etc. TR 02/03/2026 Fav/CS ATD 02/12/2026 Fav/CS AP 02/24/2026	

COMMITTEE MEETING EXPANDED AGENDA

Appropriations

Tuesday, February 24, 2026, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	CS/CS/SB 1690 Education Pre-K - 12 / Children, Families, and Elder Affairs / Calatayud (Similar CS/CS/CS/H 765)	Child Care and Early Learning Services; Revising the information on child care required to be disseminated electronically to the community; deleting the requirement that family child care homes and large family child care homes, respectively, provide specified information to parents each year; requiring that certain child care facilities exempt from licensure requirements meet certain minimum requirements; prohibiting residential property insurance policies from providing coverage for liability for claims arising out of, or in connection with, the operations of large family child care homes; establishing the Florida Endowment for Early Learning Foundation within a Department of Education direct-support organization for a specified purpose, etc. CF 02/03/2026 Fav/CS ED 02/10/2026 Fav/CS AP 02/24/2026	
5	CS/SB 1756 Health Policy / Yarborough (Compare H 917)	Medical Freedom; Citing this act as the "Medical Freedom Act"; requiring certain health care practitioners and paramedics to, before administering a vaccine to a minor child, inform the parent or legal guardian of certain information using materials approved and adopted by joint rule of the Board of Medicine and the Board of Osteopathic Medicine; providing that specified amendments made by the act to s. 456.0575, F.S., take effect within a specified timeframe after the Board of Medicine and the Board of Osteopathic Medicine adopt certain materials by joint rule; authorizing pharmacists to provide ivermectin to adults without a prescription as a behind-the-counter medication until the United States Food and Drug Administration approves it for over-the-counter sale; revising exemptions from school-entry immunization requirements, etc. HP 01/26/2026 Fav/CS AP 02/24/2026 RC	

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 Appropriations

BILL: CS/CS/SB 118

INTRODUCER: Finance and Tax Committee; Community Affairs Committee; and Senator Truenow

SUBJECT: Assessments Levied on Recreational Vehicle Parks

DATE: February 23, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shuler</u>	<u>Fleming</u>	<u>CA</u>	Fav/CS
2.	<u>Black</u>	<u>Khan</u>	<u>FT</u>	Fav/CS
3.	<u>Black</u>	<u>Sadberry</u>	<u>AP</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 118 revises the way special assessments may be levied against recreational vehicle parks (RV) by prohibiting counties, municipalities, and special districts from levying special assessments against an area greater than 400 square feet for each recreational vehicle parking space or campsite.

The Revenue Estimating Conference (REC) adopted a negative indeterminate impact on non-school local government revenue associated with special assessments levied on RV parks.

The changes made by the bill first apply to the 2026 property tax roll, and the bill takes effect upon becoming a law.

II. Present Situation:

Special Assessments

The Florida Constitution provides local governments with expansive home rule powers. Given these powers, local governments may impose proprietary fees, regulatory fees, and special assessments to pay the cost of providing a facility or service or regulating an activity. The validity of these fees and assessments depends on requirements established in Florida case law.¹

¹ See OFF. OF ECON. AND DEMOGRAPHIC RSCH., *Local Government Financial Information Handbook*, pgs. 9-16 (May 2025), available at <https://edr.state.fl.us/content/local-government/reports/lgfi24.pdf> (last visited Nov. 12, 2025).

Counties and municipalities utilize special assessments as a home rule revenue source to fund certain services and to construct and maintain capital facilities. Section 125.01(1)(r), F.S., authorizes the levy of special assessments by county governments. Chapter 170, F.S., authorizes the levy of special assessments by municipal governments. Section 125.271, F.S., authorizes the levy of special assessments by certain counties for emergency medical services. Special districts derive their authority to levy special assessments through general law or the special act creating the district.²

While similar to taxes, legally imposed special assessments are not taxes. As stated by the Florida Supreme Court:

Taxes and special assessments are distinguishable in that, while both are mandatory, there is no requirement that taxes provide any specific benefit to the property; instead, they may be levied throughout the particular taxing unit for the general benefit of residents and property. On the other hand, special assessments must confer a specific benefit upon the land burdened by the assessment.³

As established by case law, a special assessment must meet two requirements to be validly imposed: First, the property assessed must derive a special benefit from the improvement or service provided; and second, the assessment must be fairly and reasonably apportioned among the properties that receive the special benefit.⁴

In determining whether a special benefit is conferred on property by the special assessment, the test to be applied is whether there is a “logical relationship” between the services provided and the benefit to real property.⁵ Many assessed services and improvements have been upheld as providing the requisite special benefit. Such services and improvements include solid waste disposal,⁶ fire protection,⁷ and stormwater management services.⁸ Special assessments for emergency medical services, however, have been held invalid because they do not confer a special benefit to the property.⁹

While the special assessment must be fairly and reasonably apportioned, the methodology for apportioning the amount may vary. Front foot¹⁰ or square foot¹¹ methodologies may be

² See *id.* For example, s. 153.73, F.S., authorizes levies by county water and sewer districts; s. 163.514, F.S., authorizes levies by neighborhood improvement districts; s. 190.021, F.S., authorizes levies by community development districts; and s. 191.009, F.S., authorizes levies by independent special fire control districts.

³ *City of Boca Raton v. State*, 595 So. 2d 25, 29 (Fla. 1992).

⁴ *Id.*

⁵ *Whisnant v. Stringfellow*, 50 So. 2d 885, 886 (Fla. 1951) (citing *Crowder v. Phillips*, 1 So. 2d 629, 631 (Fla. 1941)).

⁶ *Harris v. Wilson*, 693 So. 2d 945 (Fla 1997).

⁷ *S. Trail Fire Control Dist. v. State*, 273 So. 2d 380 (Fla. 1973).

⁸ *Sarasota Cnty. v. Sarasota Church of Christ, Inc.*, 667 So. 2d 180 (Fla. 1995).

⁹ *City of North Lauderdale v. SMM Properties, Inc.*, 825 So. 2d 343 (Fla. 2002).

¹⁰ See *Atlantic Coast Line R.R. v. City of Winter Haven*, 151 So. 321, 324 (Fla. 1933).

¹¹ See *Meyer v. City of Oakland Park*, 219 So. 2d 417 (Fla. 1969).

traditional, but other methods are permissible, such as the market value method.¹² The Florida Supreme Court has explained that “[t]he manner of the assessment is immaterial and may vary within the district, as long as the amount of the assessment for each tract is not in excess of the proportional benefits as compared to other assessments on other tracts.”¹³ An apportionment is considered reasonable unless it “so transcend[s] the limits of equality and reason that its exaction would cease to be a tax or contribution, and become[s] extortion and confiscation” of the assessed property.¹⁴

Special assessments may be collected on an annual ad valorem tax bill. Under this collection procedure, the special assessment is characterized as a “non-ad valorem assessment.”¹⁵

Recreational Vehicle Parks

Chapter 513, F.S., provides the regulatory requirements governing RV parks. This chapter also contains standards and requirements for operators of these types of recreational facilities. The Department of Health (DOH) is the agency that is responsible for administering and enforcing all laws and rules relating to sanitation, control of communicable diseases, illnesses and hazards to health, and permitting and operational matters related to RV parks.¹⁶

Section 513.01(1), F.S., defines a “recreational vehicle park” as:

[A] place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and the term also includes buildings and sites set aside for group camping and similar recreational facilities. For the purposes of this chapter, the terms “campground,” “camping resort,” “RV resort,” “travel resort,” and “travel park,” or any variations of these terms, are synonymous with the term “recreational vehicle park.”

Recreational vehicle parks are similar to hotels in many respects. Like hotels, these parks offer lodging accommodations to the public. Recreational vehicle park operators own the accommodations or a portion thereof and allow transient guests to purchase a revocable license to enter and remain on the property. The real difference between hotels and recreational parks is the nature of the facilities provided.

Dimensions of Recreational Vehicle Sites

Under s. 513.1115, F.S., the separation distances between RV sites within an RV park and the setback distances from the exterior property boundary must all remain the same as those established at the time of initial approval of the RV park by DOH and the local government. Pursuant to DOH rule 64E-15.002, F.A.C., an RV park must be planned to accommodate the

¹² See *City of Boca Raton v. State*, 595 So. 2d 25, 31 (Fla. 1992); see also *City of Naples v. Moon*, 269 So. 2d 355 (Fla. 1972) (upholding the market value method).

¹³ *City of Boca Raton*, 595 So. 2d at 31 (quoting *S. Trail Fire Control Dist. v. State*, 273 So. 2d 380, 384 (Fla. 1973)).

¹⁴ *Atlantic Coast Line R.R.* at 324.

¹⁵ Section 197.3632, F.S.

¹⁶ Section 513.012, F.S.

designated number of RV spaces as well as space for parking, loading, and maneuvering RVs without requiring the use of sidewalks, rights-of-way, or any private ground outside of the park. The rule also requires that each RV space contain a minimum of 1200 square feet, each tent space contain a minimum of 500 square feet, and that the density not exceed 25 RVs per acre.

Special Assessments on Recreational Vehicle Parks

Sections 125.0168, 166.223 and 189.052, F.S., provide that special assessments on recreational vehicle parks levied by counties, municipalities, and special districts, respectively, may not be based on the assertion that the recreational vehicle park is comprised of residential units. Instead, they must be assessed as a commercial entity in the same manner as a hotel, motel, or other similar facility.¹⁷ As an example, Osceola County imposed special assessments for Fiscal Year 2025 for fire rescue on RV parks on a per unit basis, grouping RV parks with short term rentals, hotels, motels, and timeshare units.¹⁸

Litigation Related to Special Assessments on Recreational Vehicle Parks

The proper apportionment of special assessments for recreational vehicle parks is the subject of several current circuit court lawsuits filed in Florida's fifth judicial circuit in Sumter County.¹⁹ In November of 2024, these cases were consolidated, but litigation is ongoing.²⁰

III. Effect of Proposed Changes:

The bill prohibits counties, municipalities, and special districts from levying special assessments against more than 400 square feet of each RV parking space or campsite at RV parks.

The changes made by the bill first apply to the 2026 property tax roll, and the bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, s. 18 of the Florida Constitution governs laws that require counties and municipalities to spend funds, limit the ability of counties and municipalities to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

Subsection (b) of Art. VII, s. 18 of the Florida Constitution provides that except upon approval of each house of the Legislature by two-thirds vote of the membership, the legislature may not enact, amend, or repeal any general law if the anticipated effect of

¹⁷ Sections 125.0168, 166.223 and 189.052, F.S.

¹⁸ Osceola County, Resolution No. 24-151R (2024); see Osceola County, *Fire Rescue Assessments*, available at https://www.osceola.org/files/assets/county/v/1/doing-business/building-amp-permits/documents/impact-and-mobility-fees-office/2024-10-21_serviceassessments-fy2024-2025-accessible.pdf (last visited Nov. 13, 2025).

¹⁹ *MRVZ Park Investors 2, LLC v. Sumter Cnty.*, No. 2024-CA-00404 (Fla. Sumter Cnty. Ct.); *NHC-FL124, LLC v. Sumter Cnty.*, No. 2024-CA000405 (Fla. Sumter Cnty. Ct.), and *FL RV Village Wildwood, LLC v. Sumter Cnty.*, No. 2024-CA-00407 (Fla. Sumter Cnty. Ct.).

²⁰ *FL RV Village Wildwood LLC v. Sumter Cnty.*, Nos. 2024-CA-407, 2024-CA-405, 2024-CA-404 (Fla. Sumter Cnty. Ct. Nov. 19, 2024) (amended agreed order on defendant Sumter County's motions to consolidate cases).

doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. However, the mandates requirements do not apply to laws having an insignificant impact,^{21,22} which is \$2.4 million or less for Fiscal Year 2026-2027.²³

The REC reviewed CS/CS/SB 118 and adopted a negative indeterminate impact for Fiscal Year 2026-2027²⁴, therefore, the mandates provision may not apply.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Article VII, s. 19 of the Florida Constitution requires legislation pass each chamber by a 2/3 vote and be contained in a separate bill with no other subject if the legislation imposes, authorizes an imposition, increases, or authorizes an increase in a state tax or fee or if it decreases or eliminates a state tax or fee exemption or credit.

The bill does not affect the imposition or increasing of a state tax or fee nor decreases or eliminates a state tax or fee exemption or credit. Thus, the constitutional requirements do not apply.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The Revenue Estimating Conference has determined that the bill has a negative indeterminate impact on non-school revenue.²⁵

²¹ FLA. CONST. art. VII, s. 18(d).

²² An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See FLA. SENATE COMM. ON COMTY. AFFAIRS, *Interim Report 2012-115: Insignificant Impact*, (September 2011), <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Feb. 13, 2026).

²³ Based on the Demographic Estimating Conference's estimated population adopted on June 30, 2025, <https://edr.state.fl.us/Content/conferences/population/demographicsummary.pdf> (last visited Feb. 13, 2026).

²⁴ OFF. OF ECON. & DEMOGRAPHIC RSCH, *Revenue Estimating Conference Impact Results: CS/CS/SB118*, 305 (Feb. 13, 2026), available at https://edr.state.fl.us/Content/conferences/revenueimpact/archives/2026/_pdf/page304-306.pdf (last visited February 16, 2026).

²⁵ *Id.*

B. Private Sector Impact:

RV parks may have a reduction in special assessments levied.

C. Government Sector Impact:

Counties, municipalities, and special districts imposing special assessments on RV parks may experience a reduction in revenue.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 125.0168, 166.223, and 189.052 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/CS by Finance and Tax on February 12, 2026:

The committee substitute removes the requirement in the bill that counties, municipalities, and special districts consider the occupancy rates of the RV park to ensure fair and reasonable apportionment of the special assessment among the RV parking spaces and campsites receiving the special benefit.

CS by Community Affairs on November 18, 2025:

The committee substitute revises the method for determining the area against which a county, municipality, or special district may not levy a special assessment at RV parks. Specifically, instead of prohibiting the levy against the portion of each parking space or campsite that exceeds the maximum square footage of specified RV-type units, the committee substitute prohibits the levy against more than 400 square feet per parking space or campsite.

Additionally, the committee substitute requires local governments consider occupancy rates to ensure the special assessment is fairly and reasonably apportioned among the RV parking spaces and campsites, rather than the RV parks, receiving the benefit.

B. Amendments:

None.

By the Committees on Finance and Tax; and Community Affairs; and
Senator Truenow

593-02830-26

2026118c2

1 A bill to be entitled
2 An act relating to assessments levied on recreational
3 vehicle parks; amending ss. 125.0168, 166.223, and
4 189.052, F.S.; prohibiting counties, municipalities,
5 and special districts, respectively, from levying
6 certain special assessments against more than a
7 specified square footage amount per recreational
8 vehicle parking space or campsite; providing
9 applicability; providing an effective date.

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

11 Section 1. Section 125.0168, Florida Statutes, is amended
12 to read:

13 125.0168 Special assessments levied on recreational vehicle
14 parks regulated under chapter 513.—When a county levies a non-ad
15 valorem special assessment on a recreational vehicle park
16 regulated under chapter 513, the non-ad valorem special
17 assessment ~~may shall~~ not be based on the assertion that the
18 recreational vehicle park is comprised of residential units.
19 Instead, recreational vehicle parks regulated under chapter 513
20 shall be assessed as a commercial entity in the same manner as a
21 hotel, motel, or other similar facility. A non-ad valorem
22 special assessment levied on a square footage basis may not be
23 levied against more than 400 square feet per recreational
24 vehicle parking space or campsite.

25 Section 2. Section 166.223, Florida Statutes, is amended to
26 read:

27 166.223 Special assessments levied on recreational vehicle
28
29

Page 1 of 2

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30 parks regulated under chapter 513.—When a municipality levies a
31 non-ad valorem special assessment on a recreational vehicle park
32 regulated under chapter 513, the non-ad valorem special
33 assessment ~~may shall~~ not be based on the assertion that the
34 recreational vehicle park is comprised of residential units.
35 Instead, recreational vehicle parks regulated under chapter 513
36 shall be assessed as a commercial entity in the same manner as a
37 hotel, motel, or other similar facility. A non-ad valorem
38 special assessment levied on a square footage basis may not be
39 levied against more than 400 square feet per recreational
40 vehicle parking space or campsite.

41 Section 3. Section 189.052, Florida Statutes, is amended to
42 read:

43 189.052 Assessments levied on facilities regulated under
44 chapter 513.—When an independent or dependent special district
45 levies an assessment on a facility regulated under chapter 513,
46 the assessment ~~may shall~~ not be based on the assertion that the
47 facility is comprised of residential units. Instead, facilities
48 regulated under chapter 513 shall be assessed in the same manner
49 as a hotel, motel, or other similar facility. An assessment
50 levied on a square footage basis may not be levied against more
51 than 400 square feet per recreational vehicle parking space or
52 campsite.

53 Section 4. The amendments made by this act to ss. 125.0168,
54 166.223, and 189.052, Florida Statutes, first apply to the 2026
55 property tax roll.

56 Section 5. This act shall take effect upon becoming a law.

Page 2 of 2

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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 Appropriations

BILL: CS/SB 896

INTRODUCER: Criminal Justice Committee and Senator Gaetz

SUBJECT: School Safety

DATE: February 23, 2026 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Cellon</u>	<u>Stokes</u>	<u>CJ</u>	<u>Fav/CS</u>
2.	<u>Gray</u>	<u>Sadberry</u>	<u>AP</u>	<u>Pre-meeting</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 896 creates s. 1006.601, F.S., to require each public postsecondary educational institution to:

- Adopt an active assailant plan;
- In cooperation with local law enforcement agencies and local government, adopt a family reunification plan;
- Train faculty to detect and respond to mental health issues;
- Post on its website a mental health awareness and suicide prevention sign;
- Establish threat management teams; and
- In collaboration with appropriate public safety agencies, or a private sector security firm, annually conduct a security risk assessment at each campus using the Florida Safe Schools Assessment Tool.

The bill amends s. 1006.07, F.S., to provide that training provided by the school safety specialist for classroom teachers and other instructional staff must explain the purpose, importance, and proper execution of school safety protocols and emergency procedures.

The bill amends s. 1003.25, F.S., to require that a student's specified records follow such student to a Florida College System institution or state university should he or she enroll there.

The bill amends s. 943.082, F.S., to require public postsecondary educational institutions,¹ be made aware of and promote the use of the mobile suspicious activity reporting tool (FortifyFL) by:

- Advertising it on the institution website;
- Installing it on all mobile devices issued by the institution; and
- Bookmarking the website on all computer devices maintained by the institution.

The bill amends s. 30.15, F.S., to authorize local sheriffs to provide employees and faculty from the following institutions access to the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel school Guardian Program:

- Public postsecondary educational institutions.
- Workforce education.
- Florida College System Institutions.
- State universities.
- All other state-supported postsecondary educational institutions.

The bill amends s. 790.115, F.S., to create a second degree felony offense if a person possesses any firearm, electric weapon or device, destructive device, or other weapon, including a razor blade or box cutter, except as authorized in support of school-sanctioned activities, at a school-sponsored event or on the property of any school, school bus, or school bus stop² and he or she discharges any weapon or firearm within 1,000 feet of a school, during school hours or during the time of a sanctioned school activity, *unless* discharged for lawful defense of himself or herself or another or for a lawful purpose.

This crime is ranked as a level 6 in the Offense Severity Ranking Chart.

The bill may have a fiscal impact on the Florida Department of Law Enforcement (FDLE) and public postsecondary educational institutions. **See Section V., Fiscal Impact Statement.**

The bill takes effect upon becoming a law, except for Sections 2 and 3 which take effect on October 1, 2026.

II. Present Situation:

School Safety

Florida universities have been the location of various types of firearm related incidents, including school shootings. Generally, carrying a firearm on university campuses is prohibited.³ While universities may have campus police, the guardian program does not extend to universities.

¹ Public postsecondary educational institutions include workforce education; Florida College System institutions; state universities; and all other state-supported postsecondary educational institutions that are authorized and established by law. Section 1000.04(3), F.S.

² Section 790.115(2)(a), F.S.

³ See ss. 790.06(12) and 790.115, F.S.

The Florida State University was the site of a deadly shooting in April 2025. The shooting left two dead and six wounded.⁴ It was the second such shooting on the Florida State campus, the first occurring in November 2014 at the Strozier Library. That shooting left one victim paralyzed from the hips down and two others wounded.⁵ To date there has been no other reported Florida college campus deadly shootings.⁶

Additionally, there was a shooting at Florida State University where a person residing at a fraternity house tested a mounted flashlight on top of a firearm. He pointed the weapon and shined the light on the faces of others in the room. When he pointed the weapon, it fired, striking two individuals and killing one of them.⁷

A person holding an active certification from the Criminal Justice Standards and Training Commission as a law enforcement officer, correctional officer, or correctional probation officer is exempt from the licensing requirements of s. 790.06, F.S.⁸ According to the Attorney General, there are currently six university police departments in Florida at the following universities:

- Florida Atlantic University.
- Florida State University.
- University of Central Florida.
- University of Florida.
- University of North Florida.
- University of South Florida.⁹

Postsecondary Safety Summit

On October 8, 2025, the State University System (SUS) hosted a safety summit for university leadership and Florida College System leaders. This event provided an opportunity for collaboration across the state on key safety issues, including building hardening, threat assessment, and communications.¹⁰ The results of the summit were a series of recommendations related to the following areas of campus security:

- Building hardening.
- Threat assessment.
- Training for faculty and staff.

⁴ FSU community comes together during gathering of unity vigil, Florida State University News; April 18, 2025; available at <https://news.fsu.edu/news/university-news/2025/04/18/fsu-community-comes-together-during-gathering-of-unity-vigil/> (last visited February 18, 2026).

⁵ Shooting at Strozier Library stuns Florida State, Sean Rossman, Updated November 21, 2014; available at <https://www.tallahassee.com/story/news/local/fsu-news/2014/11/20/shooting-strozier-library-stuns-florida-state/70040320/> (last visited February 18, 2026)

⁶ For a thorough list of college shootings from August 1966 to December 2025, see US News, “A List of Deadly Shootings on College Campuses in the US,” Associated Press, December 13, 2025, available at <https://www.usnews.com/news/us/articles/2025-12-13/a-list-of-deadly-shootings-on-college-campuses-in-the-us> (last visited February 18, 2026).

⁷ *Wilhelm v. Secretary, Florida Department of Corrections*, (USCA 11, Case: 22-11991, Document 26-1, Filed 1/31/2024)

⁸ Section 790.06(5)(b), F.S.

⁹ See the Campus Law Enforcement list at The Attorney General’s website, available at <https://www.myfloridalegal.com/citizen-safety-center/campus-law-enforcement> (last visited February 18, 2026).

¹⁰ Florida Board of Governors, *SUS Safety Summit*, at 2, available at <https://www.flbog.edu/wp-content/uploads/2025/10/Safety-Summit-Report-DRAFT.pdf> (last visited February 18, 2026).

- Communications.
- Interagency coordination.
- Tasks for the Board Office including:
 - Develop a plan with the Florida Colleges and K-12 to share information on threats and behavioral risks across systems;
 - Convene meetings of the SUS police chiefs to encourage better coordination across the System regarding safety, threat mitigation, and training;
 - Identify opportunities for collaboration with state law enforcement agencies; and
 - Convene a follow-up to the SUS Safety Summit for university staff who work directly with safety, student affairs, and campus preparedness.¹¹

K – 12 School Safety and Security

The Marjory Stoneman Douglas High School Public Safety Commission was established within the FDLE during the 2018 legislative session to analyze information from the school shooting and other mass violence incidents in the state and address recommendations and safety system improvements. The Commission sunsets July 1, 2026.¹²

One of the early tasks undertaken by the FDLE, in collaboration with the Department of Legal Affairs, was to procure a mobile suspicious activity reporting tool that allows students and the community to relay information anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials. As recommended by students at Marjory Stoneman Douglas High School, the program is named “FortifyFL.” At a minimum, the FDLE must receive reports electronically through the mobile suspicious activity reporting tool.¹³

The Department of Education, Office of Safe Schools (OSS) serves as a central repository for school-safety best practices, training standards, and compliance oversight in all matters regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness planning.¹⁴

The OSS has developed and implemented a statewide risk-assessment tool. The Florida Safe Schools Assessment (FSSAT) that helps identify threats, vulnerabilities, and appropriate safety controls for the school they supervise.¹⁵ The OSS provides training and technical assistance. The OSS also conducts triennial unannounced compliance inspections of public schools.¹⁶

¹¹ *Id.* at 4.

¹² Section 943.687, F.S.; The Florida Department of Law Enforcement, Marjory Stoneman Douglas High School Public Safety Commission, School Safety Commission, available at <https://www.fdle.state.fl.us/MSDHS/Home>, (last visited February 18, 2026).

¹³ Fortify Florida, *About*, at <https://getfortifyfl.com/#about> (last visited Feb. 18, 2026).

¹⁴ Section 1001.212, F.S.

¹⁵ Section 1006.1493, F.S.

¹⁶ Sections 1001.212 and 1006.1493, F.S.

The OSS has also developed a statewide behavioral threat management operational process, a Florida-specific behavioral threat assessment instrument, and a threat management portal.¹⁷

The Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program

County Sheriffs may provide training for school guardians or school security guards for school district, charter school, private school, child care facility, or security agency employees, either directly or through a contract with another sheriff's office that has established a guardian program. The training program is a standardized statewide curriculum, and each sheriff providing such training must adhere to the course of instruction.¹⁸

Each district school board and superintendent must ensure that one or more safe-school officers are assigned to every public school facility in the district, including charter schools, and may use any combination of the statutory options to meet this requirement.¹⁹

Private schools and licensed child care facilities are authorized to partner with a law enforcement or security agency to establish or assign a safe-school officer to their schools. The private school or child care facility is responsible for any costs associated with implementing a safe-school officer, including training under the Guardian Program. A private school or child care facility electing to establish a safe-school officer must comply with the same statutory requirements for these officers as school districts and charter schools.²⁰

A sheriff who establishes a program must consult with the FDLE on programmatic guiding principles, practices, and resources, and must certify as school guardians, without the power of arrest, school employees, or certify as school security guards those persons employed by a security agency who meet specified criteria, and who:

- Hold a valid license or are otherwise eligible to possess or carry a concealed firearm;
- After satisfying the requirements, complete a 144-hour training program, consisting of 12 hours of training to improve the school guardian's knowledge and skills necessary to respond to and de-escalate incidents on school premises and;
- One hundred and thirty-two total hours of comprehensive firearm safety and proficiency training conducted by Criminal Justice Standards and Training Commission-certified instructors, which must include:
 - Eighty hours of firearms instruction based on the Criminal Justice Standards and Training Commission's Law Enforcement Academy training model, which must include at least 10 percent but no more than 20 percent more rounds fired than associated with academy training. Program participants must achieve an 85 percent pass rate on the firearms training;
 - Sixteen hours of instruction in precision pistol;
 - Eight hours of discretionary shooting instruction using state-of-the-art simulator exercises;
 - Sixteen hours of instruction in active shooter or assailant scenarios;

¹⁷ Section 1001.212(11), F.S. See Florida Department of Education, *Behavioral Threat Management*, available at <https://www.fldoe.org/safe-schools/threat-assessment.stml> (last visited February 18, 2026).

¹⁸ Section 30.15(1)(k), F.S.

¹⁹ Section 1006.12, F.S.

²⁰ Section 1002.42(20) and 402.305(19), F.S.

- Eight hours of instruction in defensive tactics; and
- Four hours of instruction in legal issues.
- Pass a psychological evaluation administered by a licensed psychologist and designated by the FDLE and submit the results of the evaluation to the sheriff's office. The FDLE is authorized to provide the sheriff's office with mental health and substance abuse data for compliance with this requirement;
- Submit to and pass an initial drug test and subsequent random drug tests in accordance with statute and the sheriff's office; and
- Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis.²¹

A person who is certified may serve as a school guardian, only if he or she is appointed by the applicable school district superintendent, charter school principal, private school head of school, or child care facility owner.

The FDLE must maintain a list of all individuals appointed as school guardians or employed as school security guards that includes name, certification date, date of appointment, including the name of the school, information reported by the Department of Education related to a safe-school officer discharging their firearms or being subject to discipline, and end date of appointment, if applicable. The FDLE must remove anyone from the list whose required guardian training has expired.²² School districts are required to review the list maintained by the FDLE prior to appointing an individual as a school guardian or school security guard.²³

Safe-school officer options include:

- *School resource officer (SRO)*: A district may establish an SRO program by agreement with a law enforcement agency; SROs must be certified law enforcement officers, undergo criminal background checks, drug testing, and a psychological evaluation, abide by district policies, and coordinate with the principal while remaining employees of the law enforcement agency.²⁴
- *School safety officer*: A district may commission one or more school safety officers who are certified law enforcement officers employed by a law enforcement agency or by the district; safety officers have arrest authority on school property and authority to carry weapons while on duty.²⁵
- *School guardian*: A district or charter governing board may participate in the state guardian program; eligible employees who complete the statutory requirements and are certified by the sheriff may serve as school guardians.²⁶
- *School security guard*: A district or charter governing board may contract with a licensed security agency to provide a school security guard who holds Class "D" and Class "G" licenses and meets statutory training, screening, approval, and ongoing qualification requirements.²⁷

²¹ Section 30.15(1)(k)2., F.S.

²² Section 30.15(1)(k)3.c., F.S.

²³ Section 1006.12(3)(b), F.S.

²⁴ Section 1006.12(1), F.S.

²⁵ Section 1006.12(2), F.S.

²⁶ Sections 1006.12(3) and 30.15(1)(k), F.S.

²⁷ Sections 1006.12(4), F.S.; ch. 493, F.S.

Sworn law-enforcement officers serving as safe-school officers (school resource officers and school safety officers) must complete mental-health crisis-intervention training using a nationally developed curriculum.²⁸ School guardians and school security guards must complete the sheriff-conducted 144-hour guardian training program, which includes de-escalation and comprehensive firearms safety and proficiency, with security guards also subject to screening and ongoing qualification requirements.²⁹

K-12 Student Records

Section 1003.25, F.S., requires that a public K-12 student's cumulative record be maintained at his or her current school and should the student transfer schools, that the record be transferred also within five school days. The records must include, if applicable:

- Verified reports of serious or recurrent behavior patterns, including any threat assessment report, all corresponding documentation, and any other information required by the Florida-specific behavioral threat assessment instrument which contains the evaluation, intervention, and management of the threat assessment evaluations and intervention services.
- Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by school district or charter school staff, as appropriate.³⁰

Possession of or Discharging a Firearm on School Property

A person is prohibited from willfully and knowingly possessing any firearm,³¹ electric weapon or device,³² destructive device,³³ or other weapon³⁴ on the property of any school,³⁵ school bus, or school bus stop, except as authorized in support of school-sanctioned activities.³⁶ A violation is punishable as a third degree felony,³⁷ except that a person who is authorized to carry a concealed weapon or concealed firearm is subject only to a second degree misdemeanor.³⁸ A person who discharges a weapon or firearm at a school-sanctioned event or on the property of any school, school bus, or school bus stop is subject to a second degree felony³⁹ regardless of whether he or she is authorized to carry a concealed weapon or concealed firearm, unless such weapon or firearm was discharged for lawful defense of himself, herself, or another person.⁴⁰

²⁸ Section 1006.12(4)(a)–(c), F.S.; ch. 493, F.S.

²⁹ Sections 30.15(1)(k)2.b., 1006.12(4)(a)1.–5., and 30.15(1)(k)2.e., F.S.

³⁰ Section 1003.25, F.S.

³¹ Section 790.001(9), F.S.

³² Section 790.001(7), F.S.

³³ Section 790.001(6), F.S.

³⁴ Section. 790.001(20), F.S.

³⁵ “School” means any preschool, elementary school, middle school, junior high school, secondary school, career center, or postsecondary school. Section 790.115(2)(a), F.S.

³⁶ Section 790.115(2)(a), F.S.

³⁷ A third degree felony is punishable by up to five years imprisonment and a \$5,000 fine. Sections 775.082, 775.083, or 775.084, F.S.

³⁸ A second degree misdemeanor is punishable by up to 60 days in jail and a \$500 fine. Sections 775.082 or 775.083, F.S.

³⁹ A second degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. Sections 775.082, 775.083, or 775.084, F.S.

⁴⁰ Section 790.115(2)(d), F.S.

A violation for discharging a weapon or firearm at a school is ranked as a level 6 offense on the offense severity ranking chart (OSRC).⁴¹ Felony offenses which are subject to the Criminal Punishment Code are listed in the OSRC,⁴² which uses 10 offense levels to rank felonies from least severe to most severe. Each felony offense listed in the OSRC is assigned a level according to the severity of the offense.⁴³ A person's primary offense, any other current offenses, and prior convictions are scored using the points designated for the offense severity level of each offense.⁴⁴ The final score calculation, following the scoresheet formula, determines the lowest permissible sentence that a trial court may impose, absent a valid reason for departure.⁴⁵

Carrying a Concealed Weapon or Firearm With or Without a License

The Department of Agriculture and Consumer Services (DACCS) is statutorily authorized to issue concealed weapon and concealed firearm licenses to applicants who qualify. For purposes of the concealed carry licensure law, "concealed weapons or concealed firearms" means a handgun, electronic weapon or device, tear gas gun, knife, or billie, but not a machine gun.⁴⁶

A person is authorized to carry a concealed weapon or concealed firearm if he or she is:

- Licensed under s. 790.06, F.S.; *or*
- Not licensed under s. 790.06, F.S., *but* otherwise satisfies the criteria for receiving and maintaining such a license.⁴⁷

A person who carries a concealed weapon or concealed firearm without a license⁴⁸ must carry valid identification at all times when he or she is in actual possession of a concealed weapon or concealed firearm and must display such identification upon demand by a law enforcement officer.⁴⁹ The person must also abide by s. 790.06(12), F.S., in the same manner as a person who is licensed to carry a concealed weapon or concealed firearm.⁵⁰

Limitations on the Concealed Carrying of a Firearm or Weapon for Licensees and Authorized Persons

Persons who hold a valid license to carry a concealed weapon or firearm are statutorily authorized to carry a handgun,⁵¹ electronic weapon or device,⁵² tear gas gun,⁵³ knife,⁵⁴ or billie in a concealed manner.⁵⁵

⁴¹ Section 921.0022(3)(f), F.S.

⁴² Section 921.0022, F.S.

⁴³ Section 921.0022(2), F.S.

⁴⁴ Sections 921.0022 and 921.0024, F.S.

⁴⁵ Section 921.0024(2), F.S.

⁴⁶ Section 790.06(1), F.S.

⁴⁷ Section 790.06(2), (3), and (10), F.S.

⁴⁸ Section 790.01(1)(b), F.S.

⁴⁹ Section 790.013, F.S.

⁵⁰ Section 790.06(12)(a), F.S.

⁵¹ Section 790.001(10), F.S.

⁵² Section 790.001(14), F.S.

⁵³ Section 790.001(3)(b), F.S.

⁵⁴ Section 790.001(20), F.S.

⁵⁵ Section 790.06(1), F.S.

Section 790.06(12), F.S., sets forth the following limitations on the concealed carry statutory authorization. A license issued under this section does *not* authorize any person to openly carry a handgun or carry a concealed weapon or firearm into:

- Any place of nuisance as defined in s. 823.05, F.S.;
- Any police, sheriff, or highway patrol station;
- Any detention facility, prison, or jail;
- Any courthouse;
- Any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his or her courtroom;
- Any polling place;
- Any meeting of the governing body of a county, public school district, municipality, or special district;
- Any meeting of the Legislature or a committee thereof;
- Any school, college, or professional athletic event not related to firearms;
- Any elementary or secondary school facility or administration building;
- Any career center;
- Any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose;
- Any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile;
- The inside of the passenger terminal and sterile area of any airport, provided that no person may be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or
- Any place where the carrying of firearms is prohibited by federal law.⁵⁶

III. Effect of Proposed Changes:

Safety and Security of Postsecondary Institutions (Section 7)

The bill creates s. 1006.601, F.S., relating to student safety, to:

- Provide authority to participate in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program and appoint certified school guardians.
- Require each public post-secondary educational institution to:
 - Adopt an active assailant response plan including methods for issuing campus-wide alerts, and annual certification that all faculty, staff, and students have completed active assailant preparedness training;
 - Adopt, in cooperation with local law enforcement agencies and local government, a family reunification plan in cooperation with local law enforcement agencies and local government in case of manmade or natural disaster. Reunification plan requires annual review and update if necessary;

⁵⁶ Section 790.06(12)(a), F.S.

- Train faculty to detect and respond to student mental health needs;
- Post on its website a mental health awareness and suicide prevention sign; and
- Establish threat management teams to coordinate resources and assessment and intervention with students whose behavior may pose a threat to the safety of the institution, institution staff, or students. Teams must utilize the statewide behavioral threat management operational process and Florida-specific behavioral threat assessment instrument developed by the Office of Safe Schools or another comparable tool deemed appropriate for postsecondary institutions.
- Annually conduct, in collaboration with appropriate public safety agencies or a private sector security consulting firm, security risk assessments at each campus using the Florida Safe Schools Assessment Tool or a comparable tool deemed appropriate for postsecondary institutions by the State Board of Education and Board of Governors.
- Subject to an appropriation, apply for grant funds for security improvements to its campus based on findings in the security risk assessment and other services deemed appropriate.

The bill provides rulemaking and regulation-adopting authority to The State Board of Education and the Board of Governors to implement the provisions of this section.

Training Provided by School Safety Specialist (Section 6)

The bill amends s. 1006.07, F.S., to provide that training provided by the school safety specialist for classroom teachers and other instructional staff must explain the purpose, importance, and proper execution of school safety protocols and emergency procedures.

Transferring Student Records to Public Postsecondary Institutions (Section 5)

The bill amends s. 1003.25, F.S., to require that a student's specified records follow such student to a Florida College System institution or state university should he or she enroll there.

Such records include verified reports of serious or recurrent behavior patterns and psychological evaluations.

The State Board of Education and the Board of Governors is required to adopt rules and regulations to establish the procedures for the transfer of a student's threat assessment report.

Guardian Program in Public Postsecondary Institutions (Section 1)

The bill amends s. 30.15, F.S., to authorize local sheriffs to provide employees and faculty from the following institutions access to the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel school Guardian Program:

- Public postsecondary educational institutions;
- Workforce education;
- Florida College System Institutions;
- State universities; and
- All other state-supported postsecondary educational institutions.

Promoting the Use of FortifyFL within Public Postsecondary Institutions (Section 4)

The bill amends s. 943.082, F.S., to require public postsecondary educational institutions to be made aware of and promote the use of the mobile suspicious activity reporting tool (FortifyFL) by:

- Advertising it on the institution website;
- Installing it on all mobile devices issued by the institution; and
- Bookmarking the website on all computer devices maintained by the institution.

Discharging a Weapon or Firearm at or 1,000 Away from a School (Section 2 and 3)

The bill amends s. 790.115, F.S., to create a second degree felony offense if a person possesses any firearm, electric weapon or device, destructive device, or other weapon, including a razor blade or box cutter, except as authorized in support of school-sanctioned activities, at a school-sponsored event or on the property of any school, school bus, or school bus stop *and* he or she discharges any weapon or firearm within 1,000 feet of a school, during school hours or during the time of a sanctioned school activity, unless discharged for lawful defense of himself or herself or another or for a lawful purpose.

This provision does not apply to the discharge of a weapon or firearm on private real property within 1,000 feet of a school by the owner of such property or by a person whose presence on such property has been authorized, licensed, or invited by the owner.

Additionally, as of October 1, 2026, when this bill section becomes effective, the new second degree felony offense is designated as Level 6 offense in the Criminal Punishment Code offense severity ranking chart.

The bill also provides that a person arrested for the new second degree felony, or the existing second degree felony of discharging a weapon while unlawfully possessing a weapon on school property must be held in custody until brought before the court for admittance to bail in accordance with ch. 903, F.S.

The bill takes effect upon becoming a law, except for Sections 2 and 3 of the bill which take effect on October 1, 2026.

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 authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

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:

The FDLE expects a \$189,812 fiscal impact to the department, \$12,676 of which is nonrecurring funds. These funds include the salary and benefit cost for two additional government analyst II full-time equivalent (FTE) positions. These expenditures relate to potential additional information reported to and maintained by the FDLE due to the expansion of the number of school guardians or school security guards that may result from the addition of public postsecondary educational institutions to the guardian program.⁵⁷

The FDLE expects a \$315,002 fiscal impact for the expansion of FortifyFL, \$19,014 of which is nonrecurring funds. These funds include the salary and benefit cost for two additional senior crime intelligence analyst II and one senior crime intelligence analyst supervisor FTE positions. These expenditures will cover FortifyFL platform's coverage to public postsecondary educational institutions. The FDLE expects the expansion of FortifyFL to generate a substantial volume increase of tips received from the department. Because these tips often involve time-sensitive and high risk public safety information, the FDLE anticipates the need for additional FTE to manage the increased workload.

The FDLE has received a preliminary estimate from the FortifyFL vendor in regard to the systematic changes needed to include post-secondary educational institutions. The estimate for the changes is \$130,000 per year in addition to the FDLE's current contract price.

⁵⁷ 2026 FDLE Legislative Bill Analysis, January 27, 2026 (on file with the Senate Criminal Justice Committee).

The FDLE also anticipates internal programming changes that would cost \$145,730, however the agency would be able to utilize two existing staff resources for this.⁵⁸

It appears that the public postsecondary educational institutions may incur costs attached to adopting and implementing s. 1006.601, F.S., the comprehensive plan for the safety and security of students, faculty, and staff of public postsecondary educational institutions provided for in the bill. Specifically, the educational institutions will be participating in reporting annual security risk assessments at each campus using the Florida Safe Schools Assessment Tool or a comparable tool, creating and updating active assailant response plans, and expanded mental health training and threat management processes at participating public colleges and universities.

The Senate's General Appropriations Act (GAA) for the 2026-2027 fiscal year, provides \$4.2 million for the Post Secondary Guardian Program. The GAA also provides \$1.8 million to certify and train school guardians. These funds are supplemental and may not be used to replace or supplant current funds used for institutional police departments.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 30.15, 790.115, 921.0022, 943.082, 1003.25, 1006.07, 402.305, 843.08, 943.03, 1001.212, and 1006.12.

The bill creates section 1006.601 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 Criminal Justice on February 11, 2026:

- Removes the bill's amendment to s. 790.06(12), F.S., which provided an exception from the prohibition against openly carrying a handgun or carrying a concealed weapon or concealed firearm into any college or university facility for employees to conceal carry a firearm at a college or university.
- Permits public postsecondary educational intuitions to collaborate with a private sector security consulting firm to conduct a security risk assessment.

⁵⁸ Email from Brittany Lyons, Legislative Specialist, Florida Department of Law Enforcement (February 19, 2026) (on file with the Senate Committee on Appropriations).

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 Criminal Justice; and Senator Gaetz

591-02772-26

2026896c1

1 A bill to be entitled
 2 An act relating to school safety; amending s. 30.15,
 3 F.S.; requiring sheriffs to assist public
 4 postsecondary educational institutions in implementing
 5 guardian programs under certain provisions;
 6 authorizing public postsecondary educational
 7 institutions to participate in the school guardian
 8 program; requiring public postsecondary educational
 9 institutions to provide a specified notice to the
 10 sheriff; amending s. 790.115, F.S.; creating the
 11 offense of discharging a weapon or firearm within
 12 1,000 feet of a school; providing an exception;
 13 providing that a person arrested for certain offenses
 14 must be held in custody until brought before the court
 15 for admittance to bail; amending s. 921.0022, F.S.;
 16 ranking an offense created by the act on the offense
 17 severity ranking chart of the Criminal Punishment
 18 Code; amending s. 943.082, F.S.; requiring that
 19 postsecondary institutions be made aware of the mobile
 20 suspicious activity reporting tool in a specified
 21 manner; requiring public postsecondary educational
 22 institutions to promote the use of such tool; amending
 23 s. 1003.25, F.S.; requiring specified educational
 24 records for certain students to be transferred to a
 25 Florida College System institution or state university
 26 under certain circumstances; requiring the State Board
 27 of Education and the Board of Governors to adopt rules
 28 and regulations, respectively; amending s. 1006.07,
 29 F.S.; requiring certain trainings to include specified

Page 1 of 35

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591-02772-26

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30 information relating to school safety; creating s.
 31 1006.601, F.S.; defining the term "public
 32 postsecondary educational institution"; authorizing
 33 such institutions to participate in certain programs;
 34 authorizing such institutions to appoint certified
 35 school guardians; authorizing specified persons to
 36 serve as school guardians; requiring such institutions
 37 to adopt specified emergency response plans; requiring
 38 such institutions to provide specified training, post
 39 specified information, and adopt threat management
 40 processes; requiring public postsecondary educational
 41 institutions to collaborate with certain public safety
 42 agencies, and authorizing such institutions to
 43 collaborate with private sector security consulting
 44 firms, to annually conduct a security risk assessment
 45 using a specified assessment tool; authorizing public
 46 postsecondary educational institutions to contract
 47 with a private sector security consulting firm for a
 48 specified purpose; authorizing a public postsecondary
 49 educational institution to apply for grant funds for
 50 security improvements, subject to appropriation;
 51 authorizing the State Board of Education and the Board
 52 of Governors to adopt rules and regulations,
 53 respectively; reenacting s. 1006.12, F.S., relating to
 54 safe-school officers at each public school, to
 55 incorporate the amendments made by the act; reenacting
 56 ss. 402.305(19)(a), 843.08, 943.03(16), and
 57 1001.212(1), (4), and (10), F.S., relating to
 58 licensing standards and child care facilities; false

Page 2 of 35

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591-02772-26

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59 personation; Department of Law Enforcement; and Office
60 of Safe Schools, respectively, to incorporate the
61 amendments made by the act; providing effective dates.

62
63 Be It Enacted by the Legislature of the State of Florida:

64
65 Section 1. Paragraph (k) of subsection (1) of section
66 30.15, Florida Statutes, is amended to read:

67 30.15 Powers, duties, and obligations.—

68 (1) Sheriffs, in their respective counties, in person or by
69 deputy, shall:

70 (k) Assist district school boards and charter school
71 governing boards in complying with, or private schools or child
72 care facilities, as defined in s. 402.302, in exercising options
73 in, s. 1006.12. A sheriff must also assist public postsecondary
74 educational institutions, as described in s. 1000.04(3), in
75 implementing a guardian program under s. 1006.601. A sheriff
76 shall, at a minimum, provide access to a Chris Hixon, Coach
77 Aaron Feis, and Coach Scott Beigel Guardian Program to aid in
78 the prevention or abatement of active assailant incidents on
79 school premises, as required under this paragraph. Persons
80 certified as school guardians pursuant to this paragraph have no
81 authority to act in any law enforcement capacity except to the
82 extent necessary to prevent or abate an active assailant
83 incident.

84 1.a. If a local school board has voted by a majority to
85 implement a guardian program or has contracted for the use of
86 school security guards to satisfy the requirements of s.
87 1006.12, the sheriff in that county must establish a guardian

Page 3 of 35

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591-02772-26

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88 program to provide training for school guardians or school
89 security guards, pursuant to subparagraph 2., to school
90 district, charter school, public postsecondary educational
91 institution, private school, child care facility, or security
92 agency employees, either directly or through a contract with
93 another sheriff's office that has established a guardian
94 program. The security agency employing a school security guard
95 is responsible for all training and screening-related costs for
96 a school security guard, but such charges may not exceed the
97 actual cost incurred by the sheriff to provide the training.

98 b. A public postsecondary educational institution or
99 charter school governing board in a school district that has not
100 voted, or has declined, to implement a guardian program may
101 request the sheriff in the county to establish a guardian
102 program for the purpose of training the public postsecondary
103 educational institution or charter school employees or school
104 security guards consistent with the requirements of subparagraph
105 2. If the county sheriff denies the request, the public
106 postsecondary educational institution or charter school
107 governing board may contract with a sheriff that has established
108 a guardian program to provide such training. The charter school
109 governing board must notify the superintendent and the sheriff
110 in the charter school's county of the contract prior to its
111 execution. The public postsecondary educational institution must
112 notify the sheriff in the public postsecondary educational
113 institution's county of the contract prior to its execution. The
114 security agency employing a school security guard is responsible
115 for all training and screening-related costs for a school
116 security guard, but such charges may not exceed the actual cost

Page 4 of 35

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591-02772-26

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117 incurred by the sheriff to provide the training.

118 c. A private school or child care facility in a school
 119 district that has not voted, or has declined, to implement a
 120 guardian program may request that the sheriff in the county of
 121 the private school or child care facility establish a guardian
 122 program for the purpose of training private school employees,
 123 child care facility employees, or school security guards. If the
 124 county sheriff denies the request, the private school or child
 125 care facility may contract with a sheriff from another county
 126 who has established a guardian program under subparagraph 2. to
 127 provide such training. The private school or child care facility
 128 must notify the sheriff in the private school's or child care
 129 facility's county of the contract with a sheriff from another
 130 county before its execution. The private school, child care
 131 facility, or security agency is responsible for all training and
 132 screening-related costs for a school guardian program. The
 133 sheriff providing such training must ensure that any moneys paid
 134 by a private school, child care facility, or security agency are
 135 not commingled with any funds provided by the state to the
 136 sheriff as reimbursement for screening-related and training-
 137 related costs of any school district or charter school employee.

138 d. The training program required in sub-subparagraph 2.b.
 139 is a standardized statewide curriculum, and each sheriff
 140 providing such training shall adhere to the course of
 141 instruction specified in that sub-subparagraph. This
 142 subparagraph does not prohibit a sheriff from providing
 143 additional training. A school guardian or school security guard
 144 who has completed the training program required in sub-
 145 subparagraph 2.b. may not be required to attend another

Page 5 of 35

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591-02772-26

2026896c1

146 sheriff's training program pursuant to that sub-subparagraph
 147 unless there has been at least a 1-year break in his or her
 148 appointment as a guardian or employment by a security agency as
 149 a school security guard in a school.

150 e. The sheriff conducting the training pursuant to
 151 subparagraph 2. for school district, ~~and~~ charter school, or
 152 public postsecondary educational institution employees will be
 153 reimbursed for screening-related and training-related costs and
 154 for providing a one-time stipend of \$500 to each school guardian
 155 who participates in the school guardian program.

156 f. The sheriff may waive the training and screening-related
 157 costs for a private school or child care facility for a school
 158 guardian program. Funds provided pursuant to sub-subparagraph e.
 159 may not be used to subsidize any costs that have been waived by
 160 the sheriff. The sheriff may not waive the training and
 161 screening-related costs required to be paid by a security agency
 162 for initial training or ongoing training of a school security
 163 guard.

164 g. A person who is certified and in good standing under the
 165 Florida Criminal Justice Standards and Training Commission, who
 166 meets the qualifications established in s. 943.13, and who is
 167 otherwise qualified for the position of a school guardian or
 168 school security guard may be certified as a school guardian or
 169 school security guard by the sheriff without completing the
 170 training requirements of sub-subparagraph 2.b. However, a person
 171 certified as a school guardian or school security guard under
 172 this sub-subparagraph must meet the requirements of sub-
 173 subparagraphs 2.c.-e.

174 2. A sheriff who establishes a program shall consult with

Page 6 of 35

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591-02772-26

2026896c1

175 the Department of Law Enforcement on programmatic guiding
 176 principles, practices, and resources, and shall certify as
 177 school guardians, without the power of arrest, school employees,
 178 as specified in s. 1006.12(3), or shall certify as school
 179 security guards those persons employed by a security agency who
 180 meet the criteria specified in s. 1006.12(4), and who:

181 a. Hold a valid license issued under s. 790.06 or are
 182 otherwise eligible to possess or carry a concealed firearm under
 183 chapter 790.

184 b. After satisfying the requirements of s. 1006.12(7),
 185 complete a 144-hour training program, consisting of 12 hours of
 186 training to improve the school guardian's knowledge and skills
 187 necessary to respond to and de-escalate incidents on school
 188 premises and 132 total hours of comprehensive firearm safety and
 189 proficiency training conducted by Criminal Justice Standards and
 190 Training Commission-certified instructors, which must include:

191 (I) Eighty hours of firearms instruction based on the
 192 Criminal Justice Standards and Training Commission's Law
 193 Enforcement Academy training model, which must include at least
 194 10 percent but no more than 20 percent more rounds fired than
 195 associated with academy training. Program participants must
 196 achieve an 85 percent pass rate on the firearms training.

197 (II) Sixteen hours of instruction in precision pistol.

198 (III) Eight hours of discretionary shooting instruction
 199 using state-of-the-art simulator exercises.

200 (IV) Sixteen hours of instruction in active shooter or
 201 assailant scenarios.

202 (V) Eight hours of instruction in defensive tactics.

203 (VI) Four hours of instruction in legal issues.

591-02772-26

2026896c1

204 c. Pass a psychological evaluation administered by a
 205 psychologist licensed under chapter 490 and designated by the
 206 Department of Law Enforcement and submit the results of the
 207 evaluation to the sheriff's office. The Department of Law
 208 Enforcement is authorized to provide the sheriff's office with
 209 mental health and substance abuse data for compliance with this
 210 paragraph.

211 d. Submit to and pass an initial drug test and subsequent
 212 random drug tests in accordance with the requirements of s.
 213 112.0455 and the sheriff's office.

214 e. Successfully complete ongoing training, weapon
 215 inspection, and firearm qualification on at least an annual
 216 basis.

217
 218 The sheriff who conducts the guardian training or waives the
 219 training requirements for a person under sub-subparagraph 1.g.
 220 shall issue a school guardian certificate to persons who meet
 221 the requirements of this section to the satisfaction of the
 222 sheriff, and shall maintain documentation of weapon and
 223 equipment inspections, as well as the training, certification,
 224 inspection, and qualification records of each school guardian
 225 certified by the sheriff. A person who is certified under this
 226 paragraph may serve as a school guardian under s. 1006.12(3)
 227 only if he or she is appointed by the applicable school district
 228 superintendent, charter school principal, public postsecondary
 229 educational institution president, private school head of
 230 school, or child care facility owner. A sheriff who conducts the
 231 training for a school security guard or waives the training
 232 requirements for a person under sub-subparagraph 1.g. and

591-02772-26

2026896c1

233 determines that the school security guard has met all the
 234 requirements of s. 1006.12(4) shall issue a school security
 235 guard certificate to persons who meet the requirements of this
 236 section to the satisfaction of the sheriff and shall maintain
 237 documentation of weapon and equipment inspections, training,
 238 certification, and qualification records for each school
 239 security guard certified by the sheriff.

240 3.a. Within 30 days after issuing a school guardian or
 241 school security guard certificate, the sheriff who issued the
 242 certificate must report to the Department of Law Enforcement the
 243 name, date of birth, and certification date of the school
 244 guardian or school security guard.

245 b. By February 1 and September 1 of each school year, each
 246 school district, charter school, employing security agency,
 247 public postsecondary educational institution, private school,
 248 and child care facility must report in the manner prescribed to
 249 the Department of Law Enforcement the name, date of birth, and
 250 appointment date of each person appointed as a school guardian
 251 or employed as a school security guard. The school district,
 252 charter school, employing security agency, public postsecondary
 253 educational institution, private school, and child care facility
 254 must also report in the manner prescribed to the Department of
 255 Law Enforcement the date each school guardian or school security
 256 guard separates from his or her appointment as a school guardian
 257 or employment as a school security guard in a school.

258 c. The Department of Law Enforcement shall maintain a list
 259 of each person appointed as a school guardian or certified as a
 260 school security guard in the state. The list must include the
 261 name and certification date of each school guardian and school

591-02772-26

2026896c1

262 security guard and the date the person was appointed as a school
 263 guardian or certified as a school security guard, including the
 264 name of the school district, charter school, public
 265 postsecondary educational institution, private school, or child
 266 care facility in which the school guardian is appointed, or the
 267 employing security agency of a school security guard, any
 268 information provided pursuant to s. 1006.12(5), and, if
 269 applicable, the date such person separated from his or her
 270 appointment as a school guardian or the last date a school
 271 security guard served in a school as of the last reporting date.
 272 The Department of Law Enforcement shall remove from the list any
 273 person whose training has expired pursuant to sub-subparagraph
 274 1.d.

275 d. Each sheriff shall report on a quarterly basis to the
 276 Department of Law Enforcement the schedule for upcoming school
 277 guardian trainings, to include guardian trainings for school
 278 security guards, including the dates of the training, the
 279 training locations, a contact person to register for the
 280 training, and the class capacity. If no trainings are scheduled,
 281 the sheriff is not required to report to the Department of Law
 282 Enforcement. The Department of Law Enforcement shall publish on
 283 its website a list of the upcoming school guardian trainings.
 284 The Department of Law Enforcement shall update such list
 285 quarterly.

286 e. A sheriff who fails to report the information required
 287 by this subparagraph may not receive reimbursement from the
 288 Department of Education for school guardian trainings. Upon the
 289 submission of the required information, a sheriff is deemed
 290 eligible for such funding and is authorized to continue to

591-02772-26 2026896c1

291 receive reimbursement for school guardian training.
 292 f. A school district, charter school, public postsecondary
 293 educational institution, private school, child care facility, or
 294 employing security agency that fails to report the information
 295 required by this subparagraph is prohibited from operating a
 296 school guardian program or employing school security guards in
 297 the following school year unless the missing information is
 298 provided.
 299 g. By March 1 and October 1 of each school year, the
 300 Department of Law Enforcement shall notify the Department of
 301 Education of any sheriff, school district, charter school,
 302 public postsecondary educational institution, private school, or
 303 child care facility that has not complied with the reporting
 304 requirements of this subparagraph.
 305 h. The Department of Law Enforcement may adopt rules to
 306 implement the requirements of this subparagraph, including
 307 requiring additional reporting information only as necessary to
 308 uniquely identify each school guardian and school security guard
 309 reported.
 310 Section 2. Effective October 1, 2026, paragraph (d) of
 311 subsection (2) of section 790.115, Florida Statutes, is amended,
 312 and subsection (4) is added to that section, to read:
 313 790.115 Possessing or discharging weapons or firearms at a
 314 school-sponsored event or on school property prohibited;
 315 penalties; exceptions.-
 316 (2)
 317 (d) A person commits a felony of the second degree,
 318 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 319 if he or she: who

591-02772-26 2026896c1

320 1. Discharges any weapon or firearm while in violation of
 321 paragraph (a), unless discharged for lawful defense of himself
 322 or herself or another or for a lawful purpose; or
 323 2. Discharges any weapon or firearm within 1,000 feet of a
 324 school, during school hours or during the time of a sanctioned
 325 school activity, unless discharged for lawful defense of himself
 326 or herself or another or for a lawful purpose. This subparagraph
 327 does not apply to the discharge of a weapon or firearm on
 328 private real property within 1,000 feet of a school by the owner
 329 of such property or by a person whose presence on such property
 330 has been authorized, licensed, or invited by the owner, ~~commits~~
 331 a felony of the second degree, punishable as provided in s.
 332 775.082, s. 775.083, or s. 775.084.
 333 (4) A person arrested for a violation of paragraph (2)(d)
 334 must be held in custody until brought before the court for
 335 admittance to bail in accordance with chapter 903.
 336 Section 3. Effective October 1, 2026, paragraph (f) of
 337 subsection (3) of section 921.0022, Florida Statutes, is amended
 338 to read:
 339 921.0022 Criminal Punishment Code; offense severity ranking
 340 chart.-
 341 (3) OFFENSE SEVERITY RANKING CHART
 342 (f) LEVEL 6
 343
 344

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily

	591-02772-26		2026896c1	
				injury.
345	316.193(2)(b)	3rd		Felony DUI, 4th or subsequent conviction.
346	316.1935(4)(a)	2nd		Aggravated fleeing or eluding.
347	327.30(5)(a)3.	2nd		Vessel accidents involving serious bodily injury; leaving scene.
348	400.9935(4)(c)	2nd		Operating a clinic, or offering services requiring licensure, without a license.
349	499.0051(2)	2nd		Knowing forgery of transaction history, transaction information, or transaction statement.
350	499.0051(3)	2nd		Knowing purchase or receipt of prescription drug from unauthorized person.
351	499.0051(4)	2nd		Knowing sale or transfer of prescription drug to unauthorized person.
352	775.0875(1)	3rd		Taking firearm from law

Page 13 of 35

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	591-02772-26		2026896c1	
				enforcement officer.
353	784.021(1)(a)	3rd		Aggravated assault; deadly weapon without intent to kill.
354	784.021(1)(b)	3rd		Aggravated assault; intent to commit felony.
355	784.041	3rd		Felony battery; domestic battery by strangulation.
356	784.048(3)	3rd		Aggravated stalking; credible threat.
357	784.048(5)	3rd		Aggravated stalking of person under 16.
358	784.07(2)(c)	2nd		Aggravated assault on law enforcement officer.
359	784.074(1)(b)	2nd		Aggravated assault on sexually violent predators facility staff.
360	784.08(2)(b)	2nd		Aggravated assault on a person 65 years of age or older.
361	784.081(2)	2nd		Aggravated assault on specified official or employee.

Page 14 of 35

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591-02772-26

2026896c1

362

784.082(2) 2nd Aggravated assault by detained person on visitor or other detainee.

363

784.083(2) 2nd Aggravated assault on code inspector.

364

787.02(2) 3rd False imprisonment; restraining with purpose other than those in s. 787.01.

365

787.025(2)(a) 3rd Luring or enticing a child.

366

790.115(2)(d) 2nd Discharging firearm or weapon on school property or within 1,000 feet of a school.

367

790.161(2) 2nd Make, possess, or throw destructive device with intent to do bodily harm or damage property.

368

790.164(1) 2nd False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.

Page 15 of 35

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591-02772-26

2026896c1

369

790.19 2nd Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.

370

794.011(8)(a) 3rd Solicitation of minor to participate in sexual activity by custodial adult.

371

794.05(1) 2nd Unlawful sexual activity with specified minor.

372

800.04(5)(d) 3rd Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.

373

800.04(6)(b) 2nd Lewd or lascivious conduct; offender 18 years of age or older.

374

806.031(2) 2nd Arson resulting in great bodily harm to firefighter or any other person.

375

810.02(3)(c) 2nd Burglary of occupied structure; unarmed; no assault or battery.

376

810.145(8)(b) 2nd Digital voyeurism; certain

Page 16 of 35

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591-02772-26

2026896c1

minor victims; 2nd or
subsequent offense.

377

812.014(2)(b)1. 2nd Property stolen \$20,000 or
more, but less than \$100,000,
grand theft in 2nd degree.

378

812.014(2)(c)5. 3rd Grand theft; third degree;
firearm.

379

812.014(6) 2nd Theft; property stolen \$3,000
or more; coordination of
others.

380

812.015(9)(a) 2nd Retail theft; property stolen
\$750 or more; second or
subsequent conviction.

381

812.015(9)(b) 2nd Retail theft; aggregated
property stolen within 120 days
is \$3,000 or more; coordination
of others.

382

812.015(9)(d) 2nd Retail theft; multiple thefts
within specified period.

383

812.015(9)(e) 2nd Retail theft; committed with
specified number of other
persons and use of social media

Page 17 of 35

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591-02772-26

2026896c1

platform.

384

812.13(2)(c) 2nd Robbery, no firearm or other
weapon (strong-arm robbery).

385

817.4821(5) 2nd Possess cloning paraphernalia
with intent to create cloned
cellular telephones.

386

817.49(2)(b)2. 2nd Willful making of a false
report of a crime resulting in
death.

387

817.505(4)(b) 2nd Patient brokering; 10 or more
patients.

388

817.5695(3)(b) 2nd Exploitation of person 65 years
of age or older, value \$10,000
or more, but less than \$50,000.

389

825.102(1) 3rd Abuse of an elderly person or
disabled adult.

390

825.102(3)(c) 3rd Neglect of an elderly person or
disabled adult.

391

825.1025(3) 3rd Lewd or lascivious molestation
of an elderly person or
disabled adult.

Page 18 of 35

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	591-02772-26		2026896c1
392	825.103(3)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
393	827.03(2)(c)	3rd	Abuse of a child.
394	827.03(2)(d)	3rd	Neglect of a child.
395	827.071(5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
396	828.126(3)	3rd	Sexual activities involving animals.
397	836.05	2nd	Threats; extortion.
398	836.10	2nd	Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
399	843.12	3rd	Aids or assists person to escape.
400	847.011	3rd	Distributing, offering to

Page 19 of 35

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	591-02772-26		2026896c1
			distribute, or possessing with intent to distribute obscene materials depicting minors.
401	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
402	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
403	893.131	2nd	Distribution of controlled substances resulting in overdose or serious bodily injury.
404	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
405	918.13(2)(b)	2nd	Tampering with or fabricating physical evidence relating to a capital felony.
406	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community

Page 20 of 35

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591-02772-26 2026896c1

supervision, resulting in great
bodily harm.

944.40 2nd Escapes.

944.46 3rd Harboring, concealing, aiding
escaped prisoners.

944.47(1)(a)5. 2nd Introduction of contraband
(firearm, weapon, or explosive)
into correctional facility.

951.22(1)(i) 3rd Firearm or weapon introduced
into county detention facility.

Section 4. Paragraph (a) of subsection (4) of section
943.082, Florida Statutes, is amended, and paragraph (c) is
added to that subsection, to read:

943.082 School Safety Awareness Program.—

(4)(a) Law enforcement dispatch centers, school districts,
schools, postsecondary institutions, and other entities
identified by the department must be made aware of the mobile
suspicious activity reporting tool.

(c) Each public postsecondary educational institution, as
defined in s. 1000.04(3), shall promote the use of the mobile
suspicious activity reporting tool by advertising it on the
institution website, by installing it on all mobile devices
issued by the institution, and by bookmarking the website on all
computer devices maintained by the institution.

591-02772-26 2026896c1

Section 5. Subsection (4) is added to section 1003.25,
Florida Statutes, and subsection (2) of that section is
republished, to read:

1003.25 Procedures for maintenance and transfer of student
records.—

(2) The procedure for transferring and maintaining records
of students who transfer from school to school is prescribed by
rules of the State Board of Education. The transfer of records
must occur within 5 school days. The records must include, if
applicable:

(a) Verified reports of serious or recurrent behavior
patterns, including any threat assessment report, all
corresponding documentation, and any other information required
by the Florida-specific behavioral threat assessment instrument
pursuant to s. 1001.212(11) which contains the evaluation,
intervention, and management of the threat assessment
evaluations and intervention services.

(b) Psychological evaluations, including therapeutic
treatment plans and therapy or progress notes created or
maintained by school district or charter school staff, as
appropriate.

(4) When the education records of a student contain the
documents described in subsection (2) and the student enrolls in
a Florida College System institution or state university, such
records must be transferred to his or her institution or
university of enrollment. The State Board of Education and the
Board of Governors shall adopt rules and regulations,
respectively, to establish the procedures for the transfer of a
student's threat assessment report pursuant to this subsection.

591-02772-26

2026896c1

455 Section 6. Paragraph (a) of subsection (6) of section
456 1006.07, Florida Statutes, is amended to read:

457 1006.07 District school board duties relating to student
458 discipline and school safety.—The district school board shall
459 provide for the proper accounting for all students, for the
460 attendance and control of students at school, and for proper
461 attention to health, safety, and other matters relating to the
462 welfare of students, including:

463 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district
464 school superintendent shall establish policies and procedures
465 for the prevention of violence on school grounds, including the
466 assessment of and intervention with individuals whose behavior
467 poses a threat to the safety of the school community.

468 (a) *School safety specialist*.—Each district school
469 superintendent shall designate a school safety specialist for
470 the district. The school safety specialist must be a school
471 administrator employed by the school district or a law
472 enforcement officer employed by the sheriff's office located in
473 the school district. Any school safety specialist designated
474 from the sheriff's office must first be authorized and approved
475 by the sheriff employing the law enforcement officer. Any school
476 safety specialist designated from the sheriff's office remains
477 the employee of the office for purposes of compensation,
478 insurance, workers' compensation, and other benefits authorized
479 by law for a law enforcement officer employed by the sheriff's
480 office. The sheriff and the school superintendent may determine
481 by agreement the reimbursement for such costs, or may share the
482 costs, associated with employment of the law enforcement officer
483 as a school safety specialist. The school safety specialist must

591-02772-26

2026896c1

484 earn a certificate of completion of the school safety specialist
485 training provided by the Office of Safe Schools within 1 year
486 after appointment and is responsible for the supervision and
487 oversight for all school safety and security personnel,
488 policies, and procedures in the school district. The school
489 safety specialist, or his or her designee, shall:

490 1. In conjunction with the district school superintendent,
491 annually review school district policies and procedures for
492 compliance with state law and rules, including the district's
493 timely and accurate submission of school environmental safety
494 incident reports to the department pursuant to s. 1001.212(8).
495 At least quarterly, the school safety specialist must report to
496 the district school superintendent and the district school board
497 any noncompliance by the school district with laws or rules
498 regarding school safety.

499 2. Provide the necessary training and resources to students
500 and school district staff in matters relating to youth mental
501 health awareness and assistance; emergency procedures, including
502 active shooter training; and school safety and security. Such
503 training for classroom teachers and other members of
504 instructional staff must explain the purpose, importance, and
505 proper execution of school safety protocols and emergency
506 procedures.

507 3. Serve as the school district liaison with local public
508 safety agencies and national, state, and community agencies and
509 organizations in matters of school safety and security.

510 4. In collaboration with the appropriate public safety
511 agencies, as that term is defined in s. 365.171, by October 1 of
512 each year, conduct a school security risk assessment at each

591-02772-26 2026896c1

513 public school using the Florida Safe Schools Assessment Tool
 514 developed by the Office of Safe Schools pursuant to s.
 515 1006.1493. Based on the assessment findings, the district's
 516 school safety specialist shall provide recommendations to the
 517 district school superintendent and the district school board
 518 which identify strategies and activities that the district
 519 school board should implement in order to address the findings
 520 and improve school safety and security. Each district school
 521 board must receive such findings and the school safety
 522 specialist's recommendations at a publicly noticed district
 523 school board meeting to provide the public an opportunity to
 524 hear the district school board members discuss and take action
 525 on the findings and recommendations. Each school safety
 526 specialist, through the district school superintendent, shall
 527 report such findings and school board action to the Office of
 528 Safe Schools within 30 days after the district school board
 529 meeting.

530 5. Conduct annual unannounced inspections, using the form
 531 adopted by the Office of Safe Schools pursuant to s.
 532 1001.212(13), of all public schools, including charter schools,
 533 while school is in session and investigate reports of
 534 noncompliance with school safety requirements.

535 6. Report violations of paragraph (f) by administrative
 536 personnel and instructional personnel to the district school
 537 superintendent or charter school administrator, as applicable.

538 Section 7. Section 1006.601, Florida Statutes, is created
 539 to read:

540 1006.601 Student safety.-

541 (1) DEFINITION.-As used in this section, the term "public

591-02772-26 2026896c1

542 postsecondary educational institution" has the same meaning as
 543 in s. 1000.04(3).

544 (2) SCHOOL GUARDIANS.-

545 (a) Public postsecondary educational institutions are
 546 authorized to participate in the Chris Hixon, Coach Aaron Feis,
 547 and Coach Scott Beigel Guardian Program and may appoint
 548 certified school guardians pursuant to s. 30.15(1)(k).

549 (b) An employee or faculty member of a public postsecondary
 550 educational institution may serve as a school guardian, in
 551 support of school-sanctioned activities for purposes of s.
 552 790.115, upon satisfactory completion of the requirements under
 553 s. 30.15(1)(k) and certification by a sheriff.

554 (3) SAFETY AND SECURITY BEST PRACTICES.-

555 (a) Response plans.-Each public postsecondary educational
 556 institution shall:

557 1. Adopt an active assailant response plan, including
 558 methods for issuing campus-wide alerts, and annually certify
 559 that all faculty, staff, and students have completed active
 560 assailant preparedness training. The plan must clearly identify
 561 who may issue an emergency alert.

562 2. Adopt, in cooperation with local law enforcement
 563 agencies and local government, a family reunification plan to
 564 reunite students and employees with their families in the event
 565 that an institution is closed or unexpectedly evacuated due to a
 566 natural or manmade disaster. This reunification plan must be
 567 reviewed annually and updated as necessary.

568 (b) Student mental health.-Each public postsecondary
 569 educational institution shall:

570 1. Train faculty to detect and respond to mental health

591-02772-26

2026896c1

571 issues as well as connect students who may experience behavioral
 572 health issues with appropriate services, both on campus and in
 573 the community, including crisis intervention.

574 2. Post on its website and in conspicuous locations at each
 575 institution a mental health awareness and suicide prevention
 576 sign that identifies ways a person can access help and services.
 577 Physical signs must be at least 11 inches by 15 inches in size
 578 and must be printed in an easily legible font and in at least
 579 32-point type.

580 3. Establish threat management teams whose duties include
 581 the coordination of resources and assessment and intervention
 582 with students whose behavior may pose a threat to the safety of
 583 the institution, institution staff, or students. The threat
 584 management team must use the statewide behavioral threat
 585 management operational process and Florida-specific behavioral
 586 threat assessment instrument developed by the Office of Safe
 587 Schools pursuant to s. 1001.212(11) or another comparable tool
 588 deemed appropriate for postsecondary institutions by the State
 589 Board of Education and the Board of Governors.

590
 591 The Commissioner of Education and the Chancellor of the State
 592 University System shall provide guidance on when and how
 593 administrators, mental health providers, and other appropriate
 594 personnel are legally entitled to share and receive information
 595 about individuals who may be a threat to themselves or others,
 596 including, but not limited to, the transmission of education
 597 records pursuant to s. 1003.25(4).

598 (c) Security risk assessment.—Each public postsecondary
 599 educational institution shall collaborate with appropriate

591-02772-26

2026896c1

600 public safety agencies as defined in s. 365.171(3)(d), and may
 601 collaborate with a private sector security consulting firm, to
 602 annually conduct a security risk assessment at each campus using
 603 the Florida Safe Schools Assessment Tool developed by the Office
 604 of Safe Schools pursuant to s. 1006.1493 or another comparable
 605 tool deemed appropriate for postsecondary educational
 606 institutions by the State Board of Education and the Board of
 607 Governors. Each public postsecondary educational institution may
 608 contract with a private sector security consulting firm that
 609 specializes in the facilitation of security risk assessments and
 610 has experience in conducting security risk assessments of public
 611 facilities to develop, update, and implement a risk assessment
 612 tool. Subject to an appropriation, the institution may apply for
 613 grant funds for security improvements to its campus based on
 614 findings in the security risk assessment and other services
 615 deemed appropriate.

616 (4) RULES AND REGULATIONS.—The State Board of Education and
 617 the Board of Governors may adopt rules and regulations,
 618 respectively, to implement this section.

619 Section 8. For the purpose of incorporating the amendments
 620 made by this act in references thereto, paragraph (a) of
 621 subsection (3), paragraph (a) of subsection (4), and subsection
 622 (7) of section 1006.12, Florida Statutes, are reenacted to read:

623 1006.12 Safe-school officers at each public school.—For the
 624 protection and safety of school personnel, property, students,
 625 and visitors, each district school board and school district
 626 superintendent shall partner with law enforcement agencies or
 627 security agencies to establish or assign one or more safe-school
 628 officers at each school facility within the district, including

591-02772-26

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629 charter schools. A district school board must collaborate with
 630 charter school governing boards to facilitate charter school
 631 access to all safe-school officer options available under this
 632 section. The school district may implement any combination of
 633 the options in subsections (1)-(4) to best meet the needs of the
 634 school district and charter schools.

635 (3) SCHOOL GUARDIAN.—

636 (a) At the school district's or the charter school
 637 governing board's discretion, as applicable, pursuant to s.
 638 30.15, a school district or charter school governing board may
 639 participate in the Chris Hixon, Coach Aaron Feis, and Coach
 640 Scott Beigel Guardian Program to meet the requirement of
 641 establishing a safe-school officer. The following individuals
 642 may serve as a school guardian, in support of school-sanctioned
 643 activities for purposes of s. 790.115, upon satisfactory
 644 completion of the requirements under s. 30.15(1)(k) and
 645 certification by a sheriff:

646 1. A school district employee or personnel, as defined
 647 under s. 1012.01, or a charter school employee, as provided
 648 under s. 1002.33(12)(a), who volunteers to serve as a school
 649 guardian in addition to his or her official job duties; or

650 2. An employee of a school district or a charter school who
 651 is hired for the specific purpose of serving as a school
 652 guardian.

653 (4) SCHOOL SECURITY GUARD.—A school district or charter
 654 school governing board may contract with a security agency as
 655 defined in s. 493.6101(18) to employ as a school security guard
 656 an individual who holds a Class "D" and Class "G" license
 657 pursuant to chapter 493, provided the following training and

591-02772-26

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658 contractual conditions are met:

659 (a) An individual who serves as a school security guard,
 660 for purposes of satisfying the requirements of this section,
 661 must:

662 1. Demonstrate completion of 144 hours of required training
 663 conducted by a sheriff pursuant to s. 30.15(1)(k)2.

664 2. Pass a psychological evaluation administered by a
 665 psychologist licensed under chapter 490 and designated by the
 666 Department of Law Enforcement and submit the results of the
 667 evaluation to the sheriff's office and school district, charter
 668 school governing board, or employing security agency, as
 669 applicable. The Department of Law Enforcement is authorized to
 670 provide the sheriff's office, school district, charter school
 671 governing board, or employing security agency with mental health
 672 and substance abuse data for compliance with this paragraph.

673 3. Submit to and pass an initial drug test and subsequent
 674 random drug tests in accordance with the requirements of s.
 675 112.0455 and the sheriff's office, school district, charter
 676 school governing board, or employing security agency, as
 677 applicable.

678 4. Be approved to work as a school security guard by the
 679 sheriff of each county in which the school security guard will
 680 be assigned to a school before commencing work at any school in
 681 that county. The sheriff's approval authorizes the security
 682 agency to assign the school security guard to any school in the
 683 county, and the sheriff's approval is not limited to any
 684 particular school.

685 5. Successfully complete ongoing training, weapon
 686 inspection, and firearm qualification conducted by a sheriff

591-02772-26

2026896c1

687 pursuant to s. 30.15(1)(k)2.e. on at least an annual basis and
 688 provide documentation to the sheriff's office, school district,
 689 charter school governing board, or employing security agency, as
 690 applicable.

691 (7) LIMITATIONS.—An individual must satisfy the background
 692 screening, psychological evaluation, and drug test requirements
 693 and be approved by the sheriff before participating in any
 694 training required by s. 30.15(1)(k), which may be conducted only
 695 by a sheriff.

696
 697 If a district school board, through its adopted policies,
 698 procedures, or actions, denies a charter school access to any
 699 safe-school officer options pursuant to this section, the school
 700 district must assign a school resource officer or school safety
 701 officer to the charter school. Under such circumstances, the
 702 charter school's share of the costs of the school resource
 703 officer or school safety officer may not exceed the safe school
 704 allocation funds provided to the charter school pursuant to s.
 705 1011.62(12) and shall be retained by the school district.

706 Section 9. For the purpose of incorporating the amendment
 707 made by this act to section 30.15, Florida Statutes, in a
 708 reference thereto, paragraph (a) of subsection (19) of section
 709 402.305, Florida Statutes, is reenacted to read:

710 402.305 Licensing standards; child care facilities.—

711 (19) SAFE-SCHOOL OFFICERS.—

712 (a) A child care facility may partner with a law
 713 enforcement agency or a security agency to establish or assign
 714 one or more safe-school officers established in s. 1006.12(1)-
 715 (4). The child care facility is responsible for the full cost of

591-02772-26

2026896c1

716 implementing any such option, which includes all training costs
 717 under the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel
 718 Guardian Program under s. 30.15(1)(k).

719 Section 10. For the purpose of incorporating the amendment
 720 made by this act to section 30.15, Florida Statutes, in a
 721 reference thereto, section 843.08, Florida Statutes, is
 722 reenacted to read:

723 843.08 False personation.—A person who falsely assumes or
 724 pretends to be a firefighter, a sheriff, an officer of the
 725 Florida Highway Patrol, an officer of the Fish and Wildlife
 726 Conservation Commission, an officer of the Department of
 727 Environmental Protection, an officer of the Department of
 728 Financial Services, any personnel or representative of the
 729 Division of Criminal Investigations, an officer of the
 730 Department of Corrections, a correctional probation officer, a
 731 deputy sheriff, a state attorney or an assistant state attorney,
 732 a statewide prosecutor or an assistant statewide prosecutor, a
 733 state attorney investigator, a coroner, a police officer, a
 734 lottery special agent or lottery investigator, a beverage
 735 enforcement agent, a school guardian as described in s.
 736 30.15(1)(k), a security officer licensed under chapter 493, any
 737 member of the Florida Commission on Offender Review or any
 738 administrative aide or supervisor employed by the commission,
 739 any personnel or representative of the Department of Law
 740 Enforcement, or a federal law enforcement officer as defined in
 741 s. 901.1505, and takes upon himself or herself to act as such,
 742 or to require any other person to aid or assist him or her in a
 743 matter pertaining to the duty of any such officer, commits a
 744 felony of the third degree, punishable as provided in s.

591-02772-26

2026896c1

745 775.082, s. 775.083, or s. 775.084. However, a person who
 746 falsely personates any such officer during the course of the
 747 commission of a felony commits a felony of the second degree,
 748 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 749 If the commission of the felony results in the death or personal
 750 injury of another human being, the person commits a felony of
 751 the first degree, punishable as provided in s. 775.082, s.
 752 775.083, or s. 775.084. In determining whether a defendant has
 753 violated this section, the court or jury may consider any
 754 relevant evidence, including, but not limited to, whether the
 755 defendant used lights in violation of s. 316.2397 or s. 843.081.

756 Section 11. For the purpose of incorporating the amendment
 757 made by this act to section 30.15, Florida Statutes, in a
 758 reference thereto, subsection (16) of section 943.03, Florida
 759 Statutes, is reenacted to read:

760 943.03 Department of Law Enforcement.—

761 (16) Upon request, the department shall consult with
 762 sheriffs to provide input regarding programmatic guiding
 763 principles, practices, and resources in order to assist in the
 764 development and implementation of the Chris Hixon, Coach Aaron
 765 Feis, and Coach Scott Beigel Guardian Program established
 766 pursuant to s. 30.15. Such input and guidance may include, but
 767 need not be limited to, standards, curriculum, instructional
 768 strategies, evaluation, certification, records retention,
 769 equipment, and other resource needs.

770 Section 12. For the purpose of incorporating the amendments
 771 made by this act to sections 943.082 and 1006.07, Florida
 772 Statutes, in references thereto, subsections (1), (4), and (10)
 773 of section 1001.212, Florida Statutes, are reenacted to read:

591-02772-26

2026896c1

774 1001.212 Office of Safe Schools.—There is created in the
 775 Department of Education the Office of Safe Schools. The office
 776 is fully accountable to the Commissioner of Education. The
 777 office shall serve as a central repository for best practices,
 778 training standards, and compliance oversight in all matters
 779 regarding school safety and security, including prevention
 780 efforts, intervention efforts, and emergency preparedness
 781 planning. The office shall:

782 (1) Establish and update as necessary a school security
 783 risk assessment tool for use by school districts pursuant to s.
 784 1006.07(6). The office shall make the security risk assessment
 785 tool available for use by charter schools. The office shall
 786 provide annual training to appropriate school district and
 787 charter school personnel on the proper assessment of physical
 788 site security and completion of the school security risk
 789 assessment tool.

790 (4) Develop and implement a School Safety Specialist
 791 Training Program for school safety specialists appointed
 792 pursuant to s. 1006.07(6). The office shall develop the training
 793 program which shall be based on national and state best
 794 practices on school safety and security and must include active
 795 shooter training. The office shall develop training modules in
 796 traditional or online formats. A school safety specialist
 797 certificate of completion shall be awarded to a school safety
 798 specialist who satisfactorily completes the training required by
 799 rules of the office.

800 (10) Disseminate, in consultation with the Department of
 801 Law Enforcement, to participating schools awareness and
 802 education materials on the proper use of the School Safety

591-02772-26

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803 Awareness Program developed pursuant to s. 943.082, including
804 the consequences of knowingly submitting false information.
805 Section 13. Except as otherwise expressly provided in this
806 act, this act shall take effect upon becoming a law.

Gray, Heather

From: Kolich, Hayley
Sent: Friday, February 20, 2026 8:11 AM
To: Gray, Heather
Subject: Updated SB 896 Fiscal

From: Lyons, Brittany <BrittanyLyons@fdle.state.fl.us>
Sent: Thursday, February 19, 2026 5:03 PM
To: Kolich, Hayley <Hayley.Kolich@LASPBS.STATE.FL.US>
Cc: Grissom, William <WilliamGrissom@fdle.state.fl.us>; Phillips, Austin <AustinPhillips@fdle.state.fl.us>
Subject: SB 896

Good afternoon,

We are finishing up the analysis, but the fiscal is as below:

To administer and maintain the School Guardian Management System, FDLE requires 2 Government Analyst II FTEs with the following:

- \$163,958 in Salaries and Benefits;
- \$25,142 (\$12,676 nonrecurring) in Expenses; and
- \$712 in HR Assessment.

Fiscal Impact: \$189,812 (\$12,676 nonrecurring)

CS/SB 896 requires additional personnel to process time-sensitive FortifyFL tips. FDLE requires 3 FTE (1 Senior Crime Intelligence Analyst Supervisor and 2 Senior Crime Intelligence Analyst II).

- \$276,221 in Salaries and Benefits;
- \$37,713 (\$19,014 nonrecurring) in Expenses
- \$1,068 in HR Assessment.

Fiscal Impact: \$315,002 (\$19,014 nonrecurring)

Combined Fiscal Impact: \$504,814 (\$31,690 nonrecurring)

The estimated time to complete the necessary programming changes is an estimated 6 months of work, at an estimated cost of \$145,730. The work would be completed utilizing 2 existing staff resources..

It is recommended that the effective date of the bill be amended to December 1, 2026.

Changes will also need to be made to FortifyFL to include post-secondary educational institutions. Currently FDLE's FortifyFL vendor has provided a preliminary estimate for these changes of \$130,000 per year in addition to our current contract price.

Total FDLE Fiscal Impact: \$634,814 (\$31,690 nonrecurring)

Please let us know if there is anything else that we can help you with.

Have a wonderful day,

Brittany

Brittany Lyons
Legislative Specialist
Florida Department of Law Enforcement
Office: (850) 410-7178
Cell: (850) 661-2642

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 Appropriations

BILL: CS/CS/SB 1220

INTRODUCER: Appropriations Committee on Transportation, Tourism, and Economic Development Committee; Transportation Committee; and Senator Massullo

SUBJECT: Transportation

DATE: February 23, 2026 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Griffin</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Fav/CS</u>
3.	<u>Griffin</u>	<u>Sadberry</u>	<u>AP</u>	<u>Pre-meeting</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1220 addresses a range of issues related to transportation. Specifically, the bill:

- Requires the Florida Greenways and Trails Council to update its prioritization of regionally significant trails after the Florida Department of Transportation (FDOT) submits its triennial report on the Shared-Use Nonmotorized (SUN) Trail program.
- Authorizes the use of additional surface materials on SUNTrail facilities and allows the FDOT to consider sponsorship agreements in prioritizing SUNTrail projects.
- Requires strategic plans for seaports and commercial service airports to provide strategies for obtaining and maintaining critical infrastructure resources.
- Requires the FDOT to identify and prioritize key maritime components in the state’s supply chain to strengthen and expand the state’s maritime industrial base.
- Authorizes personal delivery devices to operate on bike lanes, bike paths, and road shoulders, except on limited access facilities.
- Prohibits counties and municipalities from enacting operating fees or restrictions on commercial advertising on personal delivery devices.
- Repeals statutory authority regarding the development and use of digital driver licenses and identification cards.
- Provides that a local government may not withhold land use approval of a drone delivery service located on a commercial property.

- Provides that the presence of a drone delivery service in a commercial property's parking lot does not reduce the number of parking spaces in the lot for the purpose of meeting minimum parking requirements.
- Requires the FDOT to direct investments in the state's aviation system to facilitate efficiency and to improve passenger experiences and the efficiency of the supply chain.
- Authorizes the FDOT to coordinate with commercial service airports to review and evaluate Transportation Security Administration policies and programs to improve airport efficiency.
- Defines the term "advanced air mobility corridor connection point" and incorporates that term into the definition of the term "transportation corridor."
- Authorizes the FDOT to purchase promotional items related to transportation-related economic development opportunities and advanced air mobility.
- Expands the FDOT's authority regarding research facilities and contracting authority to conduct research.
- Authorizes the FDOT to require local governments to submit applications for federal transportation funding and approve local requests for federal funding for state-owned transportation facilities.
- Authorizes the FDOT to coordinate with and provide assistance to local governments to develop and review local applications for federal funding to ensure that each project receiving federal funds is consistent with FDOT's mission, goals, and objectives.
- Authorizes the FDOT to acquire, own, operate or construct airports to support advanced air mobility.
- Provides that the FDOT is the lead agency for the coordination and procurement of LiDAR mapping systems.
- Increases the percentage of turnpike tolls collected in Palm Beach, Broward, and Miami-Dade counties that are programmed for turnpike projects in those counties.
- Clarifies that certain provisions required for contracts between FDOT and paratransit providers only apply to entities providing paratransit services to persons with disabilities.
- Provides that shooting into an occupied or unoccupied autonomous vehicle is a felony of the second degree.
- Provides that willful or malicious defacement, injury, or damage to an autonomous vehicle, where damage is greater than \$200, is a felony of the third degree.
- Requires the FDOT to study the impact of alternative fuel vehicles on state transportation revenues and evaluate revenue models to address this impact.
- Provides a \$300,000 appropriation for the FDOT study.

This bill will have an indeterminate fiscal impact on private and governmental entities. See Section V., Fiscal Impact Statement.

This bill takes effect July 1, 2026.

II. Present Situation:

For ease of organization and readability, the present situation is discussed below with the effect of proposed changes.

III. Effect of Proposed Changes:

SUNTrail/Greenways and Trails System (Sections 1 and 20)

Present Situation

Managed by the Department of Environmental Protection (DEP), the Florida Greenways and Trails System is a statewide system of greenways and trails.¹ The Florida Greenways and Trails Council advises the DEP regarding this system, including making recommendations for prioritizing the funding of regionally significant trails.²

Part of the Greenways and Trails System, the Florida Department of Transportation's (FDOT) Shared-Use Nonmotorized Trail (SUNTrail) Network provides nonmotorized transportation opportunities for bicyclists and pedestrians. SUNTrail trails must be physically separated from motor vehicle traffic and constructed with asphalt, concrete, or another hard surface.³

The FDOT must annually allocate at least \$50 million for SUNTrail⁴ and prioritize funding for projects that:

- Are recommended as priorities by the Florida Greenways and Trails Council as regionally significant trails.⁵
- Have national, statewide, or regional importance.
- Are otherwise identified by the Florida Greenways and Trails Council as a priority for critical linkage and trail connectedness within the Florida Greenways and Trails System.
- Facilitate an interconnected system of trails by completing gaps between existing trails.
- Support the transportation needs of bicyclists and pedestrians.⁶

The FDOT and local governments are authorized to enter into sponsorship agreements for commercial sponsorship displays on multiuse trails and related facilities. The FDOT or the local government that administers the sponsorship agreement must use sponsorship revenues for maintenance, signage, and amenities on the trails and related facilities.⁷

By June 30, 2026, and every three years thereafter, the FDOT must submit a status report on the SUNTrail network to the Governor, the President of the Senate, and the Speaker of the House of Representatives.⁸ The FDOT's report may include legislative recommendations and must include statistical information regarding the trails and expenditures associated with the network. The FDOT must also provide information regarding trail usage.⁹

¹ Section 260.14, F.S. The Florida Greenways and Trails System is codified in ch. 260, F.S.

² Section 260.0142, F.S.

³ Section 339.81(2), F.S.

⁴ Section 339.81(5)(a), F.S. These funds are distributed from the initial application for a motor vehicle registration. *See s. 320.072(4)(a)*, F.S.

⁵ This is pursuant to s. 260.0142(4)(c), F.S.

⁶ Section 339.81(5)(b), F.S.

⁷ Section 339.81(7)(a), F.S.

⁸ This report is in coordination with the Department of Environmental Protection.

⁹ Section 339.81(8), F.S.

Effect of Proposed Changes

The bill amends s. 260.0142, F.S., to require the Florida Greenways and Trails Council to meet within 90 days after FDOT submits its triennial SUNTrail report. The purpose of this meeting is to reprioritize regionally significant trails within the SUNTrail network.

The bill amends s. 339.81, F.S., to authorize SUNTrail facilities to be constructed with any FDOT-approved improved hard surface. The bill also authorizes the FDOT, in prioritizing SUNTrail projects, to consider the existence of sponsorship agreements.

Seaport Strategic Plans (Section 2)

Present Situation

Florida's seaports include Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Putnam County, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina.¹⁰

Each seaport must develop a 10-year strategic plan, containing:

- An economic development component;
- An infrastructure development and improvement component;
- A component identifying all available and potential intermodal transportation facilities;
- A component identifying physical, environmental, and regulatory barriers; and
- An intergovernmental coordination component.¹¹

The plan's infrastructure development and improvement component must identify all projected infrastructure improvements within the plan area which require improvement, expansion, or development in order for the seaport to attain a strategic advantage for competition with national and international competitors.¹²

Effect of Proposed Changes

The bill amends s. 311.14, F.S., to require each seaport master plan's infrastructure development and improvement component to contain strategies for obtaining and maintaining critical infrastructure resources for the port and its tenants. Such strategies must include long-term contracts, rights-of-first refusal regarding the sale or lease of property storing such resources, and contingency plans for obtaining such resources.

The bill defines the term "critical infrastructure resources," to include, but not be limited to, access to electricity, fuel, and water resources.

¹⁰ Section 311.09(1), F.S.

¹¹ Section 311.14(2), F.S.

¹² Section 311.14(2)(b), F.S.

Florida Seaport Maritime Industrial Base (Section 3)

Present Situation

On April 9, 2025, President Trump issued an executive order on Restoring America’s Maritime Dominance. The executive order provides that it is the policy of the United States to revitalize and rebuild domestic maritime industries and workforce to promote national security and economic prosperity. The executive order requires a Maritime Action Plan and requires an assessment of ways to expand the Maritime Industrial Base, including, but is not limited to, investment and expansion of commercial and defense shipbuilding capabilities, component supply chains, ship repair and marine transportation capabilities, port infrastructure, and the adjacent workforce.¹³

Florida’s seaports currently support nearly 1.2 million jobs, contribute over \$195 billion in total economic value. This represents 12.2 percent of Florida’s GDP.¹⁴

Effect of Proposed Changes

The bill creates s. 311.26, F.S., to require the FDOT to coordinate with the Florida Department of Commerce, seaports, and the Federal Government to identify and prioritize key maritime components in the supply chain that are essential to strengthening and expanding Florida’s maritime industrial base. Seaports must support projects prioritized by the FDOT that directly support the building and construction, maintenance, and modernization of both commercial vessels, including cargo vessels, and vessels designed for national defense. The FDOT must evaluate projects by their estimated return on invested capital, job creation, and contribution to the state’s and the United States’ economic competitiveness and national security interests. Additional consideration must include the project’s anticipated enhancement of Florida’s commercial maritime capabilities.

Personal Delivery Devices and Mobile Carriers (Sections 4-6)

Present Situation

Florida law defines the term “personal delivery device” (PDD) to mean an electrically powered device that:

- Is operated on sidewalks and crosswalks and intended primarily for transporting property;
- Has a weight that does not exceed the maximum weight established by the FDOT rule;
- Has a maximum speed of 10 miles per hour; and
- Is equipped with technology to allow for operation of the device with or without the active control or monitoring of a natural person.

A PDD is not considered a vehicle unless expressly defined by law as a vehicle. A mobile carrier is not considered a PDD. The FDOT may adopt rules to implement this provision.¹⁵

¹³ Executive Order on Restoring America’s Maritime Dominance, available at: <https://www.whitehouse.gov/presidential-actions/2025/04/restoring-americas-maritime-dominance/> (last visited January 22, 2026).

¹⁴ Florida Seaport Transportation and Economic Development Council, *Seaport Mission Plan 2025-2029*; p. 7. https://ftp.fdot.gov/public/file/tulxiv1wnk-glamtfkz5mg/2025_2029_5-Year_Florida_Seaport_Mission_Plan.pdf (last visited January 28, 2026).

¹⁵ Section 316.003(59), F.S. FDOT currently does not have rules regarding the use PDDs.

A PDD may be operated on sidewalks and crosswalks within a county or municipality when permitted by federal law. This does not restrict a county or municipality from adopting regulations for the safe operation of PDDs.¹⁶ A PDD operating on a sidewalk or crosswalk has the same rights and duties as a pedestrian, except that a PDD may not unreasonably interfere with pedestrians or traffic. A PDD must yield the right-of-way to pedestrians on the sidewalk or crosswalk.¹⁷

A PDD must have a plate or marker with a unique identifying device number and identify the name and contact information of the PDD's operator.¹⁸ A PDD may not:

- Operate on a public highway except to the extent necessary to cross a crosswalk.
- Operate on a sidewalk or crosswalk unless its operator is actively controlling or monitoring its navigation and operation.
- Transport hazardous materials.¹⁹

A person who owns and operates a PDD is required to maintain an insurance policy that provides general liability coverage of at least \$100,000.²⁰

At least one municipality has adopted an ordinance requiring PDDs to be registered with the municipality and obtain an operating permit. The ordinance also prohibits commercial advertising displays on PDDs and mobile carriers.²¹

A mobile carrier is defined as an electrically powered device that:

- Is operated on sidewalks and crosswalks and is intended primarily for transporting property;
- Weighs less than 80 pounds, excluding cargo;
- Has a maximum speed of 12.5 mph; and
- Is equipped with technology to transport personal property with the active monitoring of a property owner and primarily designed to remain within 25 feet of the property owner.

A mobile carrier is not considered a vehicle or personal delivery device unless expressly defined by law as a vehicle or personal delivery device.²²

Mobile carriers have operating provisions similar to PDDs. However, mobile carriers are not required to have a marker with an identifying number and the name and contact information of

¹⁶ Section 316.008(7)(b), F.S. However, a PDD may not be operated on the Florida Shared-Use Nonmotorized Trail Network or the Florida Greenways and Trails System.

¹⁷ Section 316.2071(1), F.S.

¹⁸ Section 316.2071(2)(b), F.S.

¹⁹ Section 316.2071(3), F.S.

²⁰ Section 316.2071(4), F.S.

²¹ *City of Miami Beach*, City Commission Meeting, February 5, 2026, Items R5 H and I.

<https://www.youtube.com/watch?v=80MFjswJT9U> at 3:25:38 - 3:51:23. (Last visited February 12, 2026)

(<https://miamibeachfl.primegov.com/Portal/Meeting?meetingTemplateId=5847> (last visited February 12, 2026) (Copy of ordinance on file with Senate Committee on Transportation.)

²² Section 316.003(43), F.S.

its operator. Mobile carrier operators are also not required to be insured. Additionally, mobile carriers may not transport persons or animals.²³

Effect of Proposed Changes

The bill amends s. 316.003(59), F.S., to update the definition of “personal delivery device” to:

- Authorize the operation of PDDs on bicycle lanes, bicycle paths, or on the shoulder of the street, roadway, or highway, not including a limited access facility;²⁴ and
- Limit a PDDs speed to 20 miles per hour on bicycle lanes, bicycle paths, and on the shoulder of the street, roadway, or highway, not including a limited access facility.

The bill amends s. 316.008(7)(b), F.S., relating to the powers of local authorities to authorize PDDs to operate on sidewalks, crosswalks, bicycle lanes, bicycle paths, and on the shoulder of the street, roadway, or highway, but not on a limited access facility. However, this does not restrict a county or municipality from adopting regulations for the safe operation of PDDs.

The bill also prohibits counties or municipalities from enacting, imposing, levying, collecting, or enforcing:

- An operating fee for a PDD, except as expressly authorized by state statute; or
- An advertising regulation that restricts, prohibits, conditions, or otherwise limits commercial advertising on PDDs.

The bill amends s. 316.2071, F.S., to provide that a PDD operating on a sidewalk or a crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances. A PDD may not unreasonably interfere with pedestrians, bicycles, and motor vehicles and must yield the right of way to pedestrians.

A PDD may not do any of the following:

- Operate on a sidewalk, crosswalk, bicycle lane, or shoulder of a street, roadway, or highway, unless it meets the FDOT’s minimum criteria and a human operator is capable of controlling and monitoring its navigation and operation.
- Transport hazardous materials.
- Operate on a limited access facility.

The bill also provides that a mobile carrier may not unreasonably interfere with pedestrians, bicycles, or motor vehicles and must yield the right-of-way to pedestrians.

The bill authorizes the FDOT to adopt rules to implement s. 316.2071, F.S., relating to PDDs and mobile carriers.

²³ Section 316.2071, F.S.

²⁴ Section 316.003(36), F.S., defines the term “limited access facility” to mean a street or highway especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement, or only a limited right or easement, of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways or streets may be parkways from which trucks, buses, and other commercial vehicles are excluded or may be freeways open to use by all customary forms of street and highway traffic.

Registration Decals for Rental Trucks (Section 7)

Present Situation

With limited exceptions, Florida law requires every motor vehicle operating on its roads to be registered.²⁵ Upon registration, the DHSMV assigns the motor vehicle a registration license number and issues to the owner or lessee a certificate of registration and a registration license plate.²⁶

With each license plate, a validation sticker is issued and must be placed on the upper right hand corner of the plate to indicate the registration renewal period. The registration is for 12 months but may be extended to 24 months.²⁷

Florida law authorizes the following rental vehicles and rental trucks to elect a permanent registration period, provided that the appropriate license taxes and fees are paid annually.

- Motor vehicles that carry under nine passengers;
- Rental trucks with a net weight of not more than 5,000 pounds; and
- Rental heavy trucks with gross vehicle weights of less than 15,000 pounds.²⁸

Effect of Proposed Changes

The bill amends s. 320.06(1)(b), F.S., to increase the weight limit for rental heavy trucks eligible for a permanent registration period to such trucks that weigh no more than 26,001 pounds, provided that the appropriate license taxes are paid annually.

Digital Proof of Driver License or Identification Card (Sections 8-11)

Present Situation

The DHSMV is required to develop a secure and uniform system for issuing an optional digital proof of driver license. The DHSMV may contract with one or more private entities to develop a digital proof of driver license system.²⁹ The digital proof of driver license must allow law enforcement to verify its authenticity.³⁰

In order to be issued a digital driver license or identification card, one must satisfy all of the statutory requirements for the driver license or identification card.³¹

If a private entity scans a digital proof of driver license or identification card, the private entity may not store, sell, or share the personal information collected, except with informed consent of the individual.³²

²⁵ Section 320.02(1), F.S.

²⁶ Section 320.06(1), F.S.

²⁷ Section 320.06(b)(1), F.S.

²⁸ *Id.* Motor vehicle license taxes are pursuant to s. 320.08, F.S.

²⁹ Section 322.032(2), F.S.

³⁰ Section 322.032(3), F.S.

³¹ Section 322.032(4), F.S.

³² Section 322.032(7), F.S.

The DHSMV must invalidate a digital proof of driver license in the event of a driver license suspension.³³ Additionally, the digital proof of driver license may be presented in lieu of a printed driver license.³⁴

By July 1, 2023, the DHSMV was required to have its digital proof of driver license system include the ability to display vehicle registration and insurance information, notify a driver of a lapse in insurance coverage, and allow a driver to update insurance information.³⁵

Effect of Proposed Changes

The bill repeals s. 322.032, F.S., eliminating the DHSMV's authority to develop a digital proof of driver license and identification card. The bill also repeals s. 324.252, F.S., to repeal the requirement that the DHSMV's digital driver license system display vehicle registration and insurance information.

The bill also amends s. 322.059, F.S., to remove a provision related to digital driver licenses and driver license suspension, and amends s. 322.15(1), F.S., to remove a provision regarding presenting a digital proof of driver license in lieu of a printed driver license.

Drone Delivery Services (Section 12)

Present Situation

Florida law defines the term “drone” to mean a powered, aerial vehicle that:

- Does not carry a human operator;
- Uses aerodynamic forces to provide vehicle lift;
- Can fly autonomously or be piloted remotely;
- Can be expendable or recoverable; and
- Can carry a lethal or nonlethal payload.³⁶

Except as provided in federal regulations, authorizations, or exemptions, Florida law vests in the state the authority to regulate the operation of drones.³⁷

For a drone delivery service,³⁸ a political subdivision may not withhold issuance of a business tax receipt, development permit, or other use approval to a drone delivery service or enact or enforce an ordinance or resolution prohibiting a drone delivery service's operation based on the location of its drone port.³⁹ However, a political subdivision may enforce minimum setback and

³³ Section 322.059, F.S.

³⁴ Section 322.15(1), F.S. However, a printed driver license must be presented of a law enforcement officer or authorized representative of the Department of Highway Safety and Motor Vehicles is unable to immediately verify the digital proof of driver license.

³⁵ Section 324.252, ch. 2022-169, Laws of Fla.

³⁶ Section 934.50, F.S. This definition also applies to s. 330.41, F.S. See s. 330.41(2)(c), F.S.

³⁷ Section 330.41(3)(a), F.S.

³⁸ Section 330.41(2)(d), F.S., defines the term “drone delivery service” to mean a person or entity engaged in a business or profession of delivering goods via drone and who is governed by Title 14 of the Code of Federal Regulations.

³⁹ Section 330.41(2)(e), F.S., defines the term “drone port” to mean a stand-alone building that does not exceed 1,500 square feet in area or 36 feet in height; is located in a nonresidential area; is used or intended for use by a drone delivery service for the storage, launch, landing, and observation of drones.

landscaping regulations that are generally applicable to permitted uses in the drone port's zoning district. This may not be construed to authorize a political subdivision to require additional landscaping as a condition of approving a drone port.⁴⁰

Local Government Minimum Parking Requirements

Florida law requires local land development regulations to contain specific and detailed provisions necessary or desirable to implement its adopted comprehensive plan. Included in the minimum requirements is to ensure safe and convenient onsite traffic flow, considering needed vehicle parking.⁴¹

Counties and municipalities may elect to adopt regulations setting the minimum number of parking spaces required for various land uses, including commercial property. These requirements may be based on factors such as the use of the property and the square footage of buildings on the property.⁴²

Effect of Proposed Changes

The bill amends s. 330.41(3)(c), F.S., to prohibit a political subdivision from withholding land use approval for a drone delivery service on a commercial property.⁴³ The bill also prohibits a political subdivision from enacting an ordinance or resolution prohibiting the operation of a drone delivery service.

The bill provides that the addition of a drone delivery service within a commercial property's parking area does not reduce the number of parking spaces for the purpose of complying with any requirement for minimum number of parking spaces.

FDOT's Aviation Duties (Sections 13 and 14)

Present Situation

The FDOT is authorized to assist and advise, cooperate, and coordinate with the federal, state, local, or private organizations and individuals in planning the state's system of airports.⁴⁴ The FDOT may also coordinate and assist in developing the state's aviation system and assist the state's airports.⁴⁵

⁴⁰ Section 330.41(3)(c), F.S.

⁴¹ Section 163.3202, F.S.

⁴² See Generally, City of Tallahassee Land Development Regulations, Section 10.358 – Schedules of required parking spaces. https://library.municode.com/fl/tallahassee/codes/land_development_code?nodeId=LADECO_CH10ZO_ARTVIOREPALO_VEINRE_DIV2OREPA_S10-358SCREPASS (last visited December 23, 2025).

⁴³ Section 330.41(1)(a), F.S., defines the term “commercial property” to mean real property other than residential property. The term includes, but is not limited to, a property zoned multifamily residential which is comprised of five or more dwelling units, and real property used for commercial, industrial, or agricultural purposes.

⁴⁴ Section 332.001(1), F.S.

⁴⁵ Section 332.006(1), F.S.

The Federal Aviation Administration (FAA) classifies commercial service airports as publicly-owned airports with at least 2,500 annual passenger enplanements and scheduled air carrier service.⁴⁶ Florida currently has 21 commercial service airports.⁴⁷

The Transportation Security Administration's (TSA)⁴⁸ Screening Partnership Program contracts with qualified private companies to provide security screening services at commercial service airports. These private companies operate under federal oversight and must comply with the TSA's security screening procedures.⁴⁹ Florida airports currently participating in the program are Orlando-Sanford International, Punta Gorda, and Sarasota-Bradenton International.⁵⁰

The TSA's PreCheck program provides low-risk travelers with secure and efficient security screenings using dedicated PreCheck security lanes. PreCheck passengers may leave their shoes, belts, and light jackets on and are not required to remove laptops and certain liquids from carry-on bags. The TSA has authorized three providers to provide PreCheck enrollment and there are over 1,300 enrollment locations nationwide, with five years of PreCheck enrollment costing individuals \$85 or less.⁵¹

The TSA offers PreCheck services to military members and their families. Uniformed service members and civilian employees of the Department of Defense may receive free TSA PreCheck, which may be used for both official and personal travel. The TSA offers a \$25 discount on PreCheck enrollment or renewal for military spouses and free enrollment for eligible family members of fallen service members. The TSA is working with the United States Department of Veterans Affairs to offer free PreCheck to qualified disabled veterans.⁵²

Effect of Proposed Changes

The bill amends s. 332.001, F.S., to authorize the FDOT to plan and direct investments in airport systems to facilitate the efficient movement of passengers and cargo and to continuously improve the experience of the traveling public and the supply chain of this state's businesses.

The bill amends s. 332.006, F.S., to require the FDOT to coordinate with commercial service airports to review and evaluate the TSA's policies and programs, including but not limited to, security screening programs and programs for veterans, active duty service members, and their families. This is to improve efficiency in the security screening process and the overall experience of the flying public.

⁴⁶ Federal Aviation Administration (FAA), *Airport Categories*, https://www.faa.gov/airports/planning_capacity/categories (last visited January 13, 2026).

⁴⁷ FDOT presentation on FDOT and Florida's Aviation Network to the Senate Committee on Transportation, December 2, 2025.

⁴⁸ The Transportation Security Administration (TSA) is part of the United States Department of Homeland Security.

⁴⁹ Transportation Security Administration (TSA), *Screening Partnership Program*, <https://www.tsa.gov/for-industry/screening-partnerships> (last visited January 13, 2026).

⁵⁰ *Id.*

⁵¹ TSA Precheck, <https://www.tsa.gov/precheck> (last visited January 13, 2026).

⁵² TSA Precheck for Uniformed Service Members, <https://www.tsa.gov/precheck/military> (last visited January 13, 2026).

Commercial Service Airport Plans (Section 15)

Present Situation

Federal Aviation Administration (FAA)-required airport master plans are a comprehensive study of the airport that prescribes the short-, medium-, and long-term development plans to meet future aviation demand.⁵³ The master plan provides the framework needed to guide future airport development to cost-effectively satisfy aviation demand, while considering potential environmental and socioeconomic impacts. Airport master plans provide aviation forecasts, facility requirements, facilities implementation plans, and a financial feasibility analysis.⁵⁴

Effect of Proposed Changes

The bill amends s. 332.0075, F.S., to require commercial service airports to plan for obtaining and maintaining critical infrastructure resources for the airport, its tenants, and the traveling public. Such plans must include long-term contracts and rights of first refusal regarding the sale of such resources and contingency plans for such resources.

The bill defines the term “critical infrastructure resources” to include, but is not limited to, access to electricity, fuel, and water resources.

Advanced Air Mobility-Related Definitions (Section 16)

Present Situation

Federal law defines the term “Advanced Air Mobility” (AAM) as a transportation system that transports people and property by air between two points in the United States using aircraft with advanced technologies, including electric aircraft or electric vertical take-off and landing aircraft, in controlled and uncontrolled airspace.⁵⁵

AAM encompasses new technologies and business models designed to enable small, low-altitude aircraft operations at increasing scale and decreasing cost. It introduces new aircraft designs, including manned and unmanned aircraft with novel flight characteristics, control schemes, modes of operation and propulsion sources, that can fly quietly and efficiently.⁵⁶ AAM also includes air traffic management solutions to manage high volumes of aircraft safely, securely, and efficiently at low altitudes. Finally, AAM incorporates new and modified infrastructure that integrates flight networks into the hearts of communities.⁵⁷

⁵³ FAA Advisory Circular AC 150/5070-6B, *Airport Master Plans*, January 27, 2015, p. 2

https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_150_5070-6B_with_chg_1&2.pdf (last visited January 13, 2026).

⁵⁴ *Id.* Table of Contents

⁵⁵ United States Department of Transportation (USDOT), *The Advanced Air Mobility National Strategy, A Bold Policy Vision for 2026-2036*, December 17, 2025, p. 1. Available at: https://www.transportation.gov/sites/dot.gov/files/2025-12/AAM%20National%20Strategy%202025_508c_251201.pdf (last visited January 12, 2026).

⁵⁶ *Id.*

⁵⁷ SunTrax Air, <https://suntraxfl.com/suntrax-air/> (last visited January 28, 2026).

The FDOT is laying the groundwork to build an intercity AAM “Aerial Highway Network” connecting major metropolitan areas across Florida.⁵⁸ In addition to performing research and development at its SunTrax test facility, the FDOT is developing custom curriculums to establish unique requirements for licensing to safely operate within the AAM Network.⁵⁹

SunTrax, the FDOT’s research facility in Polk County, has been designated as the research and development testing hub of the Florida’s AAM program.⁶⁰ Early development phases of vertiport demonstration will consist of a passenger terminal, at-grade vertiports, access roads with vehicle staging, eVTOL parking positions and charging station, and research and development hangars.⁶¹

Transportation Corridors

For purposes of the Florida Transportation Code,⁶² the term “transportation corridor” is defined to mean any land area designated by the state, a county, or a municipality which is between two geographic points and which area is used or suitable for the movement of people and goods by one or more modes of transportation, including areas necessary for management of access and securing applicable approvals and permits.⁶³

Effect of Proposed Changes

The bill amends s. 334.03, F.S., to define the term “advanced air mobility corridor connection point” to mean any land area or transportation facility,⁶⁴ including airspace designated by the FDOT as suitable to support the efficient movement of people and goods by use as a connection point for advanced air mobility.”

The bill also amends the statutory definition of “transportation corridor” for purposes of the Florida Transportation Code to include any advanced air mobility connection point into that definition and to exempt such connection points from certain requirements for such corridors.

FDOT’s Purchase of Promotional Items (Section 17)

Present Situation

The FDOT is authorized to purchase promotional items as part of public information and education campaigns. Such items may be purchased to promote environmental management, scenic highways, traffic and train safety awareness, commercial motor vehicle safety, workforce

⁵⁸ Florida Department of Transportation, *From the Ground to the Skies: Florida’s Aerial Highway Network*, November 2025. Available at https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/aviation/aam/fdot-2025-advanced-mobility_strategy.pdf?sfvrsn=19eb551c_1 (last visited January 28, 2026).

⁵⁹ *Id.*

⁶⁰ Central Florida Development Council, SunTrax Named Florida’s Home for Advanced Air Mobility, Positioning Polk as Statewide Innovation Leader, November 18, 2025. <https://www.cfdc.org/suntrax-named-floridas-home-for-advanced-air-mobility-positioning-polk-as-statewide-innovation-leader/> (last visited January 28, 2026).

⁶¹ SunTrax Air, <https://suntraxfl.com/suntrax-air/> (last visited January 28, 2026).

⁶² Chapters 334-339, 341, 348, and 349 and ss. 332.003-332.007, 351.35, 351.36, 351.37, and 861.011, F.S. See s. 334.01, F.S.

⁶³ Section 334.03(29), F.S.

⁶⁴ Section 334.03(30), F.S., defines the term “transportation facility” to mean any means for the transportation of people or property from place to place which is constructed, operated, or maintained in whole or in part from public funds. The term includes the property or property rights, both real and personal, which have been or may be established by public bodies for the transportation of people or property from place to place.

development, electric vehicle use and charging stations, autonomous vehicles, and context classification for electric vehicles and autonomous vehicles.⁶⁵

Effect of Proposed Changes

The bill amends s. 334.044(5), F.S., to authorize the FDOT to purchase promotional items regarding transportation-related economic development opportunities and advanced air mobility. The bill also removes the FDOT's authorization to purchase promotional items regarding the use of electric vehicles and electric vehicle charging stations.

FDOT Research Programs (Section 17)

Present Situation

The FDOT is authorized to conduct research studies and collect data necessary to improve the state's transportation system.⁶⁶ The FDOT may also conduct research and demonstration projects related to innovative transportation technologies.⁶⁷ The FDOT contracts with state universities and other research service providers to conduct research in all areas of transportation.⁶⁸

Located in Polk County, the FDOT's SunTrax research facility is dedicated to the research, development, and testing of emerging transportation technologies in safe and controlled environments, including ground transportation and advanced air mobility.⁶⁹

Effect of Proposed Changes

The bill amends s. 334.044, F.S., to authorize the FDOT to operate and maintain designated research facilities and enter into contracts and agreements for conducting research studies, and to collect data necessary to improve the state's transportation system.

The bill authorizes the FDOT to enter into contracts and agreements for conducting research and demonstration projects related to innovative transportation technologies.

FDOT Coordination with Local Governments for Federal Transportation Funding (Section 17)

Present Situation

The Florida Transportation Code establishes state, county, and municipal responsibilities in planning and developing the state's transportation system to ensure the development of an integrated, balanced statewide system.⁷⁰

⁶⁵ Section 334.044(5), F.S.

⁶⁶ Section 334.044(20), F.S.

⁶⁷ Section 334.044(21), F.S.

⁶⁸ FDOT, *Research Center*, <https://www.fdot.gov/research> (last visited January 13, 2026).

⁶⁹ SunTrax, <https://suntraxfl.com/about-us/facility-usage/> (last visited January 13, 2026).

⁷⁰ Section 334.035, F.S.

The United States Department of Transportation (USDOT) and its operating administrations administer grant and loan programs that provide direct funding state and local governments.⁷¹

Often, local governments will submit requests for federal grants to the Federal government and not request the FDOT's input and feedback. According to the FDOT, this process does not facilitate the statewide coordination of grant applications or an assessment of the entire impact on the state transportation system.⁷²

FDOT Mission, Goals, and Objectives

In planning and developing Florida's multimodal transportation system, the FDOT must consider the following prevailing principles:

- Preserving Florida's transportation infrastructure;
- Supporting its economic competitiveness;
- Promoting the efficient movement of people and goods; and
- preserving Florida's quality of life.⁷³

The FDOT's mission is to provide a safe statewide transportation system that promotes the efficient movement of people and goods, supports the state's economic competitiveness, prioritizes Florida's environment and natural resources, and preserves the quality of life and connectedness of the state's communities.⁷⁴

The FDOT's goals must, at a minimum, address the following prevailing principles:

- Maintaining investments;
- Economic competitiveness;
- Connected transportation system; and
- Preserving Florida's natural resources and quality of life.⁷⁵

Effect of Proposed Changes

The bill amends s. 334.044, F.S., relating the FDOT's powers and duties to authorize the FDOT to require local governments to submit applications for federal funding for projects on state-owned rights-of-way, road, bridges, and limited access facilities. This is for the FDOT's review and approval prior to submitting the application to federal government.

The bill authorizes the FDOT to coordinate with and provide assistance to local governments on the development and review for federal transportation funding to ensure that each project receiving federal funds is consistent with the FDOT's mission, goals, and objectives.

⁷¹ Information on various federal transportation is available at: <https://www.transportation.gov/grants/dashboard> (last visited January 29, 2026).

⁷² FDOT, SB 1220 Transportation, Reference Sheet. P. 4. (On file with the Senate Committee on Transportation).

⁷³ Section 334.046(1), F.S.

⁷⁴ Section 334.046(2), F.S.

⁷⁵ Section 334.046(2), F.S.

According to the FDOT, local government coordination with the FDOT prior to submitting federal grant applications will ensure that these applications will be reviewed by the FDOT to ensure that each project has the maximum benefit to the state's transportation system.⁷⁶

FDOT Owning and Operating Airports (Section 17)

Present Situation

For purposes of the State Airport Licensing Law,⁷⁷ the term “airport” is defined to mean a specific area of land or water or a structure used for, or intended to be used for, aircraft operations, which may include appurtenant areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use. The term includes, but is not limited to, airparks, airports, gliderports, heliports, helistops, seaplane bases, ultralight flightparks, vertiports, and vertistops.⁷⁸

The FDOT's Aviation Office develops the Florida Aviation System Plan, promotes the development and improvement of Florida's airports, regulates airports, and protects airport approaches. The office's activities include aviation system development, aviation grant program, airport regulation, intergovernmental coordination, aviation outreach and aviation emergency operations management.⁷⁹

In Florida, publicly-owned airports are governed by counties or municipalities or as a special district. The FDOT does not currently own or operate an airport.

Effect of Proposed Changes

The bill creates s. 334.044(42), F.S., to authorize the FDOT, notwithstanding any other law, to acquire, own, construct, or operate, or any combination thereof, one or more airports to support advanced air mobility. The FDOT may adopt rules to implement this provision.

LiDAR Procurement and Mapping (Section 18)

Present Situation

Currently, the DEP serves as the lead agency of the executive branch for developing and reviewing policies, practices, and standards related to geospatial data managed by state agencies and water management districts.⁸⁰

In 2025, the Legislature required the FDOT to coordinate with all state agencies to establish a workgroup to review state statutes, policies, practices, and standards relating to statewide mapping programs. The FDOT, in coordination with the workgroup, was required make recommendations to the President of the Senate and the Speaker of the House of Representatives by November 15, 2025, for any legislative action necessary to establish the FDOT as the primary point of contact for statewide geographic information systems and to update statutes relating to

⁷⁶ *Id.*

⁷⁷ Sections 330.27-330.39, F.S.

⁷⁸ Section 330.27, F.S.,

⁷⁹ FDOT, *Welcome to Aviation Office*, <https://www.fdot.gov/aviation> (last visited February 2, 2026).

⁸⁰ Section 20.255(9), F.S.

geographic information systems and geospatial data sharing to allow for coordination and access to such systems and geospatial data.⁸¹

In November 2025, the FDOT submitted its review and recommendations. One recommendation was to provide statutory authority for interagency agreements to support cost sharing for aerial topographic LiDAR and to define roles and responsibilities regarding topographical LiDAR data collection.⁸²

Effect of Proposed Changes

The bill creates s. 334.64, F.S., to establish the FDOT as the primary point of contact for statewide topographic aerial LiDAR procurement and cost-sharing related to statewide geographic information systems and geospatial data sharing. The FDOT may provide these services to other state and local governmental entities by entering into an interagency agreement.⁸³

The bill requires all state agencies and local governmental entities conducting programs or exercising powers relating to topographic aerial LiDAR mapping to enter into an interagency agreement with the FDOT for the FDOT's provision of topographic aerial LiDAR procurement and cost-sharing services. The agreement will also delegate the authority to conduct programs and exercise powers relating to topographic aerial LiDAR mapping procurement and cost-sharing services to the FDOT pursuant to the interagency agreement. The FDOT may adopt rules to implement this program.

South Florida Turnpike Tolls (Section 19)

Present Situation

The FDOT is required to fix, adjust, charge, and collect tolls for the use of its turnpike system. The FDOT uses toll revenues to maintain, improve, repair, and operate the system, to pay the principal and interest on turnpike bonds, and to create appropriate reserves.⁸⁴

From July 1, 1998, through June 30, 2027,⁸⁵ the FDOT must, to the maximum extent feasible, program sufficient funds in its tentative work program such that the percentage of turnpike toll and bond financed commitments in Miami-Dade, Broward, and Palm Beach counties as compared to total turnpike toll and bond financed commitments is at least 90 percent of the share of net toll collections attributable to users of the turnpike system in those counties as compared to total net toll collections attributable to users of the turnpike system.⁸⁶

⁸¹ Chapter 2025-155, Laws of Fla.

⁸² FDOT, *Statewide Geospatial Data and Mapping Recommendations*, November 15, 2025, pp. i and 11. (On file with Senate Committee on Transportation).

⁸³ Such interagency agreements must be consistent with ch. 216, F.S., relating to planning and budgeting.

⁸⁴ Section 338.231, F.S.

⁸⁵ This provision was initially created in 1997, for the period of July 1, 1998, through June 30, 2007 (s. 10 of ch. 97-280, Laws of Fla.). In 2007, it was extended until June 30, 2017 (s. 37 of ch. 2007-196, Laws of Fla.). In 2017, it was extended until June 30, 2027 (s. 3 of ch. 2017-182, Laws of Fla.).

⁸⁶ Section 338.231(3)(a), F.S. This provision does not apply when applying this requirement would violate bond covenants.

Effect of Proposed Changes

The bill amends s. 338.231(3), F.S., to extend, through June 30, 2029, the requirement that 90 percent of the turnpike revenues collected in Miami-Dade, Broward, and Palm Beach Counties be used in those counties.

Beginning in fiscal year 2029-2030, the bill requires the FDOT, to the maximum extent feasible, to program sufficient funds in its tentative work program such that 100 percent of the net toll collections attributable to turnpike users in Miami Dade, Broward, and Palm Beach counties are used for turnpike toll and bond financed commitments in those counties.

Paratransit Services to Persons with Disabilities (Section 21)***Present Situation***

Florida law defines the term “paratransit service” to mean those elements of public transit which provide service between specific origins and destinations selected by the individual user with such service being provided at a time that is agreed upon by the user and the provider of the service.⁸⁷

In 2024, the Legislature passed CS/CS/SB 1380⁸⁸ relating to transportation services for persons with disabilities and the transportation disadvantaged.⁸⁹ That bill amended the FDOT’s transit responsibilities to require the FDOT to ensure that all grants and agreements between the FDOT and entities providing paratransit services include, at a minimum, the following provisions:

- Performance requirements for the delivery of services, including clear penalties for repeated or continuing violations.
- Minimum liability insurance requirements for all transportation services purchased, provided, or coordinated for the transportation disadvantaged through the contracted vendor or its subcontractor.
- Complaint and grievance processes for paratransit users, including a requirement that all reported complaints, grievances, and resolutions be reported to FDOT on a quarterly basis.
- A requirement that the provisions above be included in any agreement between an entity receiving a grant or an agreement from FDOT and such entity's contractors or subcontractors that provide paratransit services.⁹⁰

Effect of Proposed Changes

The bill amends s. 341.041, F.S., to provide that the above requirements for grants and agreements between the FDOT and entities providing paratransit services only apply to those entities providing such services to persons with disabilities.

⁸⁷ Section 341.031(5), F.S. Paratransit service is provided by taxis, limousines, “dial-a-ride” buses, and other demand-responsive operations that are characterized by their nonscheduled, nonfixed route nature.

⁸⁸ Chapter 2024-171, Laws of Fla.

⁸⁹ Section 427.011(1), F.S., defines the term “transportation disadvantaged” to mean those persons who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high-risk or at-risk.

⁹⁰ Section 341.041(16), F.S.

Shooting or Throwing Objects into an Autonomous Vehicle (Section 22)

Present Situation

Florida law defines the term “autonomous vehicle” to mean any vehicle equipped with an automated driving system.⁹¹ Autonomous vehicles use technology to partially or entirely replace a human driver in navigating vehicles, responding to traffic conditions, and avoiding road hazards. The National Highway Traffic Safety Administration (NHTSA) uses a classification system developed by the Society of Automotive Engineers, based on the degree of human intervention.⁹² The levels of automation are classified as:

- Level 0 - Vehicles equipped with no automated features, requiring the driver to be in complete control of the vehicle.
- Level 1 - Vehicles equipped with one or more primary automated features, such as cruise control, but require the driver to perform all other tasks.
- Level 2 - Vehicles equipped with two or more primary features, such as adaptive cruise control and lane-keeping, that work together to relieve the driver from controlling those functions.
- Level 3 - Vehicles equipped with features that allow the driver to relinquish control of the vehicle’s safety-critical functions depending on traffic and environmental conditions. The driver is expected to take over control of the vehicle given the constraints of the automated features after an appropriately timed transition period.
- Level 4 - Vehicles equipped with features that allow the driver to relinquish control of the vehicle’s safety-critical functions. The vehicle can perform all aspects of driving even if the driver does not respond to a request to intervene.
- Level 5 - Fully autonomous vehicles that monitor roadway conditions and perform safety-critical tasks throughout the duration of the trip with or without a driver present. This level of autonomy is appropriate for occupied and unoccupied trips.⁹³

At least one autonomous ride hailing service is now available to riders in Miami.⁹⁴ That company has plans to expand into Orlando and Tampa.⁹⁵ Nationally, there have been cases of autonomous ride hailing vehicles being vandalized.⁹⁶

Shooting or Throwing an Object into a Vehicle

Section 790.19, F.S., provides that whoever, wantonly or maliciously, shoots at, within, or into, or throws any missile or hurls or projects a stone or other hard substance which would produce death or great bodily harm, at, within, or in any occupied or unoccupied public or private

⁹¹ Section 316.003(3)(a), F.S. Section 316.003(3), F.S., defines the term “automated driving system” to mean the hardware and software that are collectively capable of performing the entire dynamic driving task of an autonomous vehicle on a sustained basis, regardless of whether it is limited to a specific operational design domain.

⁹² University of Michigan, Center for Sustainable Systems, *Autonomous Vehicle Fact Sheet*, <https://css.umich.edu/publications/factsheets/mobility/autonomous-vehicles-factsheet> (last visited December 17, 2025).

⁹³ *Id.*

⁹⁴ Jordan Kissane, Patrick Chalvire, and Kevin Boulandier, Waymo opens fully autonomous ride-hailing service to public in Miami, January 22, 2026, <https://wsvn.com/news/local/miami-dade/waymo-opens-fully-autonomous-ride-hailing-service-to-public-in-miami/?FBWSVN>, (last visited January 29, 2026).

⁹⁵ Waymo, *Where Waymo is Driving*, <https://waymo.com/> (last visited January 29, 2026).

⁹⁶ Owen Bellwood, *Crowd Shatters Windows, Rips Door Off Empty Waymo Cab Stopped In LA*, January 28, 2026, <https://autos.yahoo.com/crowd-shatters-windows-rips-door-170000618.html> (last visited January 29, 2026).

building, public or private bus or any train, or vehicle of any kind which is being used or occupied by any person, or any boat lying in or plying the waters of this state, or aircraft flying through the airspace of this state commits a felony of the second degree, punishable by a term of imprisonment not to exceed 15 years, a fine not to exceed \$10,000, or as a habitual offender.⁹⁷

Effect of Proposed Changes

The bill amends s. 790.19, F.S., to provide that shooting into or throwing a deadly missile into an occupied or unoccupied autonomous vehicle is a felony of the second degree. This is punishable by a term of imprisonment not to exceed 15 years, a fine not to exceed \$10,000, or as a habitual offender.

Criminal Mischief – Autonomous Vehicles (Section 23)

Present Situation

Section 806.13, F.S., provides that a person commits criminal mischief if he or she willfully and maliciously injures or damages by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti or other acts of vandalism.

Criminal mischief is categorized as follows:

- If the property damage is \$200 or less, it is a misdemeanor of the second degree, punishable by a term of imprisonment not exceeding 60 days or a fine not to exceed \$500.
- If the property damage is greater than \$200 but less than \$1,000, it is a misdemeanor of the first degree, punishable by a term of imprisonment not exceeding one year or a fine not to exceed \$1,000.
- If the damage is \$1,000 or greater, or if there is interruption or impairment of a business operation, a public utility or power, or other public service which costs \$1,000 or more in labor and supplies to restore, it is a felony of the third degree, punishable by a term of imprisonment of not exceeding five years, a fine not to exceed \$5,000, or as a habitual offender.
- If the person has one or more previous convictions for criminal mischief, the offense for which the person is charged is reclassified as a felony of the third degree, punishable by a term of imprisonment of not exceeding five years, a fine not to exceed \$5,000, or as a habitual offender.⁹⁸

Effect of Proposed Changes

The bill amends s. 806.13, F.S., to provide that any person who willfully or maliciously defaces, injures, or damages any autonomous vehicle and the damage to the autonomous vehicle is greater than \$200 commits a felony of the third degree. This is punishable by a term of imprisonment of not exceeding five years, a fine not to exceed \$5,000, or as a habitual offender.⁹⁹

⁹⁷ Sections 775.082, 775.083, and 775.084, F.S.

⁹⁸ Section 806.13(1)(b), F.S. The penalties are contained in ss. 775.082, 775.083, and 775.084, F.S.

⁹⁹ Sections 775.082, 775.083, and 775.084, F.S.

Alternative Fuel Study (Sections 24 and 25)

Present Situation

State Transportation Funding

The State Transportation Trust Fund (STTF) primarily receives revenues from state taxes and fees, including fuel taxes and motor vehicle license-related fees. For Fiscal Year 2024-2025, \$5.3 billion in state revenues was deposited into the STTF from the following sources:

Revenue Source¹⁰⁰	Dollar Amount (In millions)	Percentage of Total
Fuel Taxes	\$3,103	58%
Motor Vehicle License Fees	\$1,556	29%
Rental Car Surcharge	\$134	3%
Local Option Distribution	\$49	1%
Documentary Stamp Tax	\$467	9%

Between 2016 and 2023, the number of electric vehicles (EVs) registered in Florida increased by 2,097 percent to about 255,000 vehicles. Additionally, the number of plug-in hybrid electric vehicles (PHEVs) registered in Florida increased by 467 percent to about 57,000 vehicles. Additionally, there are projections that indicate that by 2030, 40 to 50 percent of passenger car sales in the United States will be EVs.¹⁰¹

While EVs and PHEVs pay sales tax at public charging statutes, they do not pay taxes, such as fuel taxes, dedicated to fund transportation. Due to the increased number of EVs and PHEVs, by 2040, transportation revenues may fall short of projected revenues by up to 20 percent. One estimate is that EVs have already reduced Florida’s annual motor fuel tax revenues by \$46.4 million to \$73.8 million.¹⁰²

Effect of Proposed Changes

The bill requires the FDOT to evaluate the long-term impact of alternative fuel vehicles on state transportation revenues and identify potential policy options to address projected revenue reductions. The study must:

- Identify the projected impact of specific alternative fuel vehicle types and the corresponding projected impact on state transportation revenues.
- Evaluate new transportation revenue models, including, but not limited to, alternative fuel vehicle-specific registration fees and taxes; technological and industry partnerships that could facilitate fees based on miles-per-gallon usage equivalences; and revenue models that are based on vehicle miles-based taxes.
- Analyze the advantages, disadvantages, and projected revenue impacts from each transportation revenue model.

¹⁰⁰ FDOT, Office of Work Program and Budget, *Florida’s Transportation Tax Sources, A Primer*, 2026. p. 2. <https://fdotewpl.dot.state.fl.us/FMSupportApps/Documents/pr/Primer.pdf> (last visited February 2, 2026).

¹⁰¹ Florida Tax Watch, *Fair Share Taxes Driven Away by Electric Vehicles*, April 2025, <https://floridatxwatch.org/Research/Blog/fair-share-taxes-driven-away-by-electric-vehicles> (last visited February 3, 2026).

¹⁰² *Id.*

The bill requires the FDOT, by January 1, 2027, to submit a report the Governor, the President of the Senate, and the Speaker of the House of Representatives providing the results of the study.

The bill appropriates \$300,000 in nonrecurring funds from the State Transportation Trust Fund to the FDOT for the purpose of this study.

Conforming Changes (Sections 26-39)

The bill amends ss. 311.07, 316.0777, 316.515, 336.01, 338.222, 341.8225, 376.3071, 403.7211, 479.261, 715.07, 1006.23, F.S., to conform cross-references.

The bill reenacts the following statutes to incorporate the changes made to s. 316.003, F.S., which amends the definition of the term personal delivery device:

- Section 320.02(21), F.S., providing that a PDD is not required to satisfy motor vehicle registration and insurance requirements;
- Section 324.021(1), F.S., defining the term “motor vehicle” as it relates to motor vehicle financial responsibility; and
- Section 324.022(2)(a), F.S., defining the term “motor vehicle” as it relates to the definition of “motor vehicle” as it relates to the financial responsibility for property damage.

Effective Date (Section 40)

This bill takes effect July 1, 2026.

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 identified.

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

None.

B. Private Sector Impact:

Authorizing permanent registration decals for additional rental heavy trucks may provide enhanced operating efficiency for truck rental businesses. (Section 7)

Persons violating the prohibitions on criminal activity involving autonomous vehicles will be subject to specified penalties. (Section 21 and 22)

C. Government Sector Impact:

Seaports and airports may incur indeterminate costs associated with additional planning requirements in the bill. (Sections 2 and 15)

The FDOT indicates that the opportunity to review local federal funding requests prior to submission will allow the FDOT to review projects for consistency with its work program, production schedules, and evaluate funding trade-offs which may result from prioritizing a competitive grant ahead of the existing program. This insight will allow the FDOT to better plan, prepare, and deliver an integrated, balanced statewide transportation system.¹⁰³ However, the fiscal impact of this provision is indeterminate. (Section 17)

State and local governmental entities may experience some cost savings due to the statewide coordination regarding the procurement of LiDAR technologies. (Section 18)

The bill creates new criminal penalties regarding intentional damage to autonomous vehicles, which may have an indeterminate fiscal impact on local and state corrections systems. (Sections 21 and 22)

The bill appropriates \$300,000 from the STTF to the FDOT to evaluate the long-term impact of alternative fuel vehicles on state transportation revenues. (Section 25)

VI. Technical Deficiencies

None.

VII. Related Issues:

None.

¹⁰³ E-mail from Jack Rogers, FDOT Legislative Affairs Director, (no subject), January 14, 2026. (On file with Senate Committee on Transportation).

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 260.0142, 311.14, 316.003, 316.008, 316.2071, 320.06, 322.059, 322.15 330.41, 332.001, 332.006, 332.0075, 334.03, 334.044, 338.231, 339.81, 341.041, 790.19, 806.13, 311.07, 316.0777, 316.515, 336.01, 341.8225, 376.3071, 403.7211, 479.261, 715.07, and 1006.23.

This bill creates the following sections of the Florida Statutes: 311.26 and 334.64.

This bill repeals the following sections of the Florida Statutes: 322.032 and 324.252.

This bill reenacts the following sections of the Florida Statutes: 320.02, 324.021, and 324.022.

This bill creates two undesignated sections of Florida law.

IX. Additional Information:

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

CS/CS by Appropriation Committee on Transportation, Tourism and Economic Development on February 12, 2026:

The committee substitute:

- Prohibits counties or municipalities from levying a fee on or restricting commercial advertising on personal delivery devices.
- Revises provisions regarding the FDOT coordination with local governments on local applications for federal funding.
- Limits the FDOT's authority on owning and operating airports for the sole purpose of supporting advanced air mobility.
- Clarifies that certain requirements for agreements between the FDOT and paratransit providers are limited to providing such services to persons with disabilities.

CS by Transportation on February 3, 2026:

The committee substitute:

- Removes from the bill the provision authorizing the FDOT to construct operate and maintain certain roads bordering the Capitol Complex.
- Removes provisions from the bill related to the Rapid Rail Transit Compact and the Southern Rail Commission.
- Increases the weight limit for rental trucks that are eligible to receive permanent registration decals.
- Repeals the statutory authority for the development and use of digital driver licenses and identification cards.
- Defines the term "advanced air mobility corridor connection point" and incorporates that term into the definition of the term "transportation corridor."
- Authorizes the FDOT to acquire, own, construct, or operate airports, including for purposes of supporting advanced air mobility.

- Requires the FDOT to study and evaluate the long-term impact of alternative fuel vehicles on state transportation revenues and identify policy options to address potential revenue reductions and appropriates \$300,000 for the study.
- Clarifies the FDOT and airport review of TSA programs includes security screening programs.
- Makes additional technical, conforming, and clarifying changes.

B. Amendments:

None.



806286

LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Massullo) recommended the following:

Senate Amendment (with title amendment)

Delete lines 126 - 648

and insert:

Section 1. Paragraph (c) of subsection (3) of section 20.23, Florida Statutes, is amended to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(3) The Legislature finds that the transportation industry



806286

11 is critical to the economic future of this state and that the
12 competitiveness of the industry in this state depends upon the
13 development and maintenance of a qualified workforce and
14 cutting-edge research and innovation. The Legislature further
15 finds that the transportation industry in this state has varied
16 and complex workforce needs ranging from technical and
17 mechanical training to continuing education opportunities for
18 workers with advanced degrees and certifications. The timely
19 need also exists for coordinated research and innovation efforts
20 to promote emerging technologies and innovative construction
21 methods and tools and to address alternative funding mechanisms.
22 It is the intent of the Legislature to support programs designed
23 to address the workforce development needs of the state's
24 transportation industry.

25 (c) The institute shall report to the department and shall
26 be composed of members from the University of Florida, the
27 Florida State University ~~Indian River State College~~, the
28 University of Central Florida, the University of South Florida,
29 and Florida International University. The department shall
30 select a member to serve as the administrative lead of the
31 institute. The department shall assess the performance of the
32 administrative lead periodically to ensure accountability and
33 assess the attainment of performance goals.

34 Section 2. Paragraph (h) of subsection (4) of section
35 260.0142, Florida Statutes, is amended to read:

36 260.0142 Florida Greenways and Trails Council; composition;
37 powers and duties.—

38 (4) The duties of the council include the following:

39 (h) Make recommendations for updating and revising the



40 implementation plan for the Florida Greenways and Trails System,
41 including, but not limited to, recommendations for
42 prioritization of regionally significant trails within the
43 Florida Shared-Use Nonmotorized Trail Network. The council shall
44 meet within 90 days after the Department of Transportation
45 submits its report pursuant to s. 339.81(8) to update its
46 recommendations for prioritization of regionally significant
47 trails within the network.

48 Section 3. Paragraph (b) of subsection (2) of section
49 311.14, Florida Statutes, is amended to read:

50 311.14 Seaport planning.—

51 (2) Each port shall develop a strategic plan with a 10-year
52 horizon. Each plan must include the following:

53 (b) An infrastructure development and improvement component
54 that identifies all projected infrastructure improvements within
55 the plan area which require improvement, expansion, or
56 development in order for a port to attain a strategic advantage
57 for competition with national and international competitors.
58 This component must provide strategies for obtaining and
59 maintaining critical infrastructure resources for the port and
60 its tenants. Such strategies must include long-term contracts,
61 rights of first refusal regarding the sale or lease of property
62 storing such resources, and contingency plans for obtaining such
63 resources. For purposes of this paragraph, the term "critical
64 infrastructure resources," includes, but is not limited to,
65 access to electricity, fuel, and water resources.

66
67 To the extent feasible, the port strategic plan must be
68 consistent with the local government comprehensive plans of the



806286

69 units of local government in which the port is located. Upon
70 approval of a plan by the port's board, the plan shall be
71 submitted to the Florida Seaport Transportation and Economic
72 Development Council.

73 Section 4. Section 311.26, Florida Statutes, is created to
74 read:

75 311.26 Florida seaport maritime industrial base.—The
76 Department of Transportation shall coordinate with the
77 Department of Commerce, the ports specified in s. 311.09, and
78 the Federal Government to identify and prioritize key maritime
79 components in the supply chain which are essential to
80 strengthening and expanding this state's maritime industrial
81 base. The ports shall support projects prioritized by the
82 Department of Transportation which will directly support the
83 building and construction, maintenance, and modernization of
84 commercial vessels, including cargo vessels, and vessels
85 designed for national defense. Projects must be evaluated by
86 their estimated return on invested capital, job creation, and
87 contribution to the economic competitiveness and national
88 security interests of this state and the United States.
89 Additional consideration must include the anticipated
90 enhancement of this state's commercial maritime capabilities.

91 Section 5. Subsection (59) of section 316.003, Florida
92 Statutes, is amended to read:

93 316.003 Definitions.—The following words and phrases, when
94 used in this chapter, shall have the meanings respectively
95 ascribed to them in this section, except where the context
96 otherwise requires:

97 (59) PERSONAL DELIVERY DEVICE.—An electrically powered



806286

98 device that:

99 (a) Is operated on sidewalks, ~~and~~ crosswalks, bicycle
100 lanes, or bicycle paths or on the shoulders of streets,
101 roadways, or highways, not including limited access facilities,
102 and intended primarily for transporting property;

103 (b) Has a weight that does not exceed the maximum weight
104 established by Department of Transportation rule;

105 (c) Operates at ~~Has~~ a maximum speed of 10 miles per hour on
106 sidewalks and crosswalks and 20 miles per hour on bicycle lanes
107 or bicycle paths or on the shoulders of streets, roadways, or
108 highways, not including limited access facilities; and

109 (d) Is equipped with technology to allow for operation of
110 the device with or without the active control or monitoring of a
111 natural person.

112

113 A personal delivery device is not considered a vehicle unless
114 expressly defined by law as a vehicle. A mobile carrier is not
115 considered a personal delivery device. The Department of
116 Transportation may adopt rules to implement this subsection.

117 Section 6. Paragraph (b) of subsection (7) of section
118 316.008, Florida Statutes, is amended, and paragraph (c) is
119 added to that subsection, to read:

120 316.008 Powers of local authorities.—

121 (7)

122 (b)1. Except as provided in subparagraphs 2. and 3.
123 ~~subparagraph 2.~~, a personal delivery device may be operated on
124 sidewalks, crosswalks, bicycle lanes, and bicycle paths and on
125 the shoulders of streets, roadways, and highways, not including
126 limited access facilities, and a mobile carrier may be operated



806286

127 on sidewalks and crosswalks within a county or municipality when
128 such use is permissible under federal law. This subparagraph
129 ~~paragraph~~ does not restrict a county or municipality from
130 otherwise adopting regulations for the safe operation of
131 personal delivery devices and mobile carriers.

132 2. A personal delivery device may not be operated on the
133 Florida Shared-Use Nonmotorized Trail Network created under s.
134 339.81 or components of the Florida Greenways and Trails System
135 created under chapter 260 or in state forests, state parks, or
136 wildlife management areas.

137 3. A personal delivery device or mobile carrier may not be
138 operated within a theme park or entertainment complex as defined
139 in s. 509.013(9), or within an independent special district
140 created by local act which has boundaries within two contiguous
141 counties.

142 (c) A county or municipality may not enact, impose, levy,
143 collect, or enforce a fee for operating personal delivery
144 devices, except as expressly authorized by state statute.

145 Section 7. Subsections (1) and (3) of section 316.2071,
146 Florida Statutes, are amended, and subsections (5) and (6) are
147 added to that section, to read:

148 316.2071 Personal delivery devices and mobile carriers.—

149 (1) Notwithstanding any other provision of law ~~to the~~
150 ~~contrary~~, a personal delivery device may operate on sidewalks,
151 crosswalks, bicycle lanes, and bicycle paths and on the
152 shoulders of streets, roadways, and highways, not including
153 limited access facilities, and a ~~or~~ mobile carrier may operate
154 on sidewalks and crosswalks, subject to s. 316.008(7)(b). A
155 personal delivery device or mobile carrier operating on a



806286

156 sidewalk or crosswalk has all the rights and duties applicable
157 to a pedestrian under the same circumstances. ~~A, except that the~~
158 ~~personal delivery device or mobile carrier may~~ must not
159 ~~unreasonably interfere with pedestrians, bicycles, or motor~~
160 ~~vehicles traffic~~ and must yield the right-of-way to pedestrians
161 ~~on the sidewalk or crosswalk.~~

162 (3) (a) A personal delivery device ~~and a mobile carrier~~ may
163 not do any of the following:

164 1. ~~(a)~~ Operate on a sidewalk, crosswalk, bicycle lane, or
165 bicycle path or on the shoulder of a street, roadway, or highway
166 unless the personal delivery device meets minimum criteria
167 established by the Department of Transportation and a human
168 operator is capable of controlling and monitoring the navigation
169 and operation of the personal delivery device ~~public highway~~
170 ~~except to the extent necessary to cross a crosswalk.~~

171 2. Transport hazardous materials as defined in s. 316.003.

172 3. Operate on a limited access facility.

173 (b) A mobile carrier may not do any of the following:

174 1. Operate on a public highway except to the extent
175 necessary to cross a crosswalk.

176 2. Operate on a sidewalk or crosswalk unless the personal
177 delivery device operator is actively controlling or monitoring
178 the navigation and operation of the personal delivery device or
179 a mobile carrier owner remains within 25 feet of the mobile
180 carrier.

181 3. ~~(e)~~ Transport hazardous materials as defined in s.
182 316.003.

183 4. ~~(d)~~ For mobile carriers, Transport persons or animals.

184 (5) A personal delivery device or mobile carrier may not



185 operate within a theme park or entertainment complex as defined
186 in s. 509.013(9), or within an independent special district
187 created by local act which has boundaries within two contiguous
188 counties.

189 (6) The Department of Transportation may adopt rules to
190 implement this section.

191 Section 8. Paragraph (b) of subsection (1) of section
192 320.06, Florida Statutes, is amended to read:

193 320.06 Registration certificates, license plates, and
194 validation stickers generally.—

195 (1)

196 (b)1. Registration license plates bearing a graphic symbol
197 and the alphanumeric system of identification shall be issued
198 for a 10-year period. At the end of the 10-year period, upon
199 renewal, the plate shall be replaced. The department shall
200 extend the scheduled license plate replacement date from a 6-
201 year period to a 10-year period. The fee for such replacement is
202 \$28, \$2.80 of which shall be paid each year before the plate is
203 replaced, to be credited toward the next \$28 replacement fee.
204 The fees shall be deposited into the Highway Safety Operating
205 Trust Fund. A credit or refund may not be given for any prior
206 years' payments of the prorated replacement fee if the plate is
207 replaced or surrendered before the end of the 10-year period,
208 except that a credit may be given if a registrant is required by
209 the department to replace a license plate under s.

210 320.08056(8) (a). With each license plate, a validation sticker
211 shall be issued showing the owner's birth month, license plate
212 number, and the year of expiration or the appropriate renewal
213 period if the owner is not a natural person. The validation



214 sticker shall be placed on the upper right corner of the license
215 plate. The license plate and validation sticker shall be issued
216 based on the applicant's appropriate renewal period. The
217 registration period is 12 months, the extended registration
218 period is 24 months, and all expirations occur based on the
219 applicant's appropriate registration period. Rental vehicles
220 taxed pursuant to s. 320.08(6)(a) and rental trucks taxed
221 pursuant to s. 320.08(3)(a)-(c) and (4)(a)-(f) ~~(4)(a)-(d)~~ may
222 elect a permanent registration period, provided payment of the
223 appropriate license taxes and fees occurs annually.

224 2. Beginning July 1, 2024, a vehicle registered in
225 accordance with the International Registration Plan must be
226 issued a license plate for a 3-year period. At the end of the 3-
227 year period, upon renewal, the license plate must be replaced.
228 Each license plate must include a validation sticker showing the
229 month of expiration. A cab card denoting the declared gross
230 vehicle weight for each apportioned jurisdiction must be issued
231 annually. The fee for an original or a renewal cab card is \$28,
232 which must be deposited into the Highway Safety Operating Trust
233 Fund. If the license plate is damaged or worn, it may be
234 replaced at no charge by applying to the department and
235 surrendering the current license plate.

236 3. In order to retain the efficient administration of the
237 taxes and fees imposed by this chapter, the 80-cent fee increase
238 in the replacement fee imposed by chapter 2009-71, Laws of
239 Florida, is negated as provided in s. 320.0804.

240 Section 9. Section 322.032, Florida Statutes, is repealed.

241 Section 10. Section 322.059, Florida Statutes, is amended
242 to read:



806286

243 322.059 Mandatory surrender of suspended driver license and
244 registration.—A person whose driver license or registration has
245 been suspended as provided in s. 322.058 must immediately return
246 his or her driver license and registration to the Department of
247 Highway Safety and Motor Vehicles. ~~The department shall~~
248 ~~invalidate the digital proof of driver license issued pursuant~~
249 ~~to s. 322.032 for such person.~~ If such person fails to return
250 his or her driver license or registration, a law enforcement
251 agent may seize the license or registration while the driver
252 license or registration is suspended.

253 Section 11. Subsection (1) of section 322.15, Florida
254 Statutes, is amended to read:

255 322.15 License to be carried and exhibited on demand;
256 fingerprint to be imprinted upon a citation.—

257 (1) Every licensee shall have his or her driver license,
258 which must be fully legible with no portion of such license
259 faded, altered, mutilated, or defaced, in his or her immediate
260 possession at all times when operating a motor vehicle and shall
261 present or submit the same upon the demand of a law enforcement
262 officer or an authorized representative of the department. ~~A~~
263 ~~licensee may present or submit a digital proof of driver license~~
264 ~~as provided in s. 322.032 in lieu of his or her printed driver~~
265 ~~license; however, if the law enforcement officer or authorized~~
266 ~~representative of the department is unable to immediately verify~~
267 ~~the digital proof of driver license, upon the demand of the law~~
268 ~~enforcement officer or authorized representative of the~~
269 ~~department, the licensee must present or submit his or her~~
270 ~~printed driver license.~~

271 Section 12. Section 324.252, Florida Statutes, is repealed.



806286

272 Section 13. Present paragraph (d) of subsection (3) of
273 section 330.41, Florida Statutes, is redesignated as paragraph
274 (e), a new paragraph (d) is added to that subsection, and
275 paragraph (c) of that subsection is amended, to read:

276 330.41 Unmanned Aircraft Systems Act.—

277 (3) REGULATION.—

278 (c)1. Except as otherwise expressly provided, a political
279 subdivision may not withhold issuance of a business tax receipt,
280 development permit, or other land use approval to a drone
281 delivery service on a commercial property or enact or enforce an
282 ordinance or a resolution that prohibits a drone delivery
283 service's operation ~~based on the location of its drone port,~~
284 notwithstanding part II of chapter 163 and chapter 205. A
285 political subdivision may enforce minimum setback and
286 landscaping regulations that are generally applicable to
287 permitted uses in the applicable drone port site's zoning
288 district. This paragraph may not be construed to authorize a
289 political subdivision to require additional landscaping as a
290 condition of approval of a drone delivery service on a
291 commercial property ~~port~~.

292 2. A drone delivery service may not operate within a theme
293 park or entertainment complex as defined in s. 509.013(9), or
294 within an independent special district created by local act
295 which has boundaries within two contiguous counties.

296 (d) The addition of a drone delivery service within the
297 parking area of a commercial property does not reduce the number
298 of parking spaces in the parking area for the purpose of
299 complying with any requirement for a minimum number of parking
300 spaces.



806286

301 Section 14. Subsection (1) of section 332.001, Florida
302 Statutes, is amended to read:

303 332.001 Aviation; powers and duties of the Department of
304 Transportation.—

305 (1) It shall be the duty, function, and responsibility of
306 the Department of Transportation to plan and direct investments
307 in airport systems in this state to facilitate the efficient
308 movement of passengers and cargo and to continuously improve the
309 experience for the flying public and the supply chain of this
310 state's businesses. In carrying out this duty and
311 responsibility, the department may assist and advise, cooperate,
312 and coordinate with the federal, state, local, or private
313 organizations and individuals in planning such systems of
314 airports.

315 Section 15. Subsection (10) is added to section 332.006,
316 Florida Statutes, to read:

317 332.006 Duties and responsibilities of the Department of
318 Transportation.—The Department of Transportation shall, within
319 the resources provided to the department:

320 (10) Coordinate with commercial service airports in this
321 state to review and evaluate policies and programs of the United
322 States Transportation Security Administration, including, but
323 not limited to, security screening programs and programs for
324 veterans and active duty servicemembers and their families, to
325 improve efficiency in airport operations and the overall
326 experience of the traveling public.

327 Section 16. Present subsections (4), (5), and (6) of
328 section 332.0075, Florida Statutes, are redesignated as
329 subsections (5), (6), and (7), respectively, and a new



806286

330 subsection (4) is added to that section, to read:

331 332.0075 Commercial service airports; transparency and
332 accountability; penalty.—

333 (4) Notwithstanding any other provision of law, a
334 commercial service airport must develop a plan for obtaining and
335 maintaining critical infrastructure resources for the airport,
336 its tenants, and the traveling public. Such plans must include
337 long-term contracts and rights of first refusal regarding the
338 sale of and contingency plans for such resources. For purposes
339 of this subsection, the term "critical infrastructure resources"
340 includes, but is not limited to, access to electricity, fuel,
341 and water resources.

342 Section 17. Present subsections (1) through (37) of section
343 334.03, Florida Statutes, are redesignated as subsections (2)
344 through (38), respectively, a new subsection (1) is added to
345 that section, and present subsection (29) of that section is
346 amended, to read:

347 334.03 Definitions.—When used in the Florida Transportation
348 Code, the term:

349 (1) "Advanced air mobility corridor connection point" means
350 any land area or transportation facility, including any
351 airspace, designated by the department as suitable to support
352 the efficient movement of people and goods by use as a
353 connection point for advanced air mobility.

354 (30)~~(29)~~ "Transportation corridor" means any advanced air
355 mobility corridor connection point or any land area designated
356 by the state, a county, or a municipality which is between two
357 geographic points and which area is used or suitable for the
358 movement of people and goods by one or more modes of



806286

359 transportation, including areas necessary for management of
360 access and securing applicable approvals and permits.
361 Transportation corridors, other than advanced air mobility
362 corridor connection points, shall contain, but are not limited
363 to, the following:

364 (a) Existing publicly owned rights-of-way;

365 (b) All property or property interests necessary for future
366 transportation facilities, including rights of access, air,
367 view, and light, whether public or private, for the purpose of
368 securing and utilizing future transportation rights-of-way,
369 including, but not limited to, any lands reasonably necessary
370 now or in the future for securing applicable approvals and
371 permits, borrow pits, drainage ditches, water retention areas,
372 rest areas, replacement access for landowners whose access could
373 be impaired due to the construction of a future facility, and
374 replacement rights-of-way for relocation of rail and utility
375 facilities.

376 Section 18. Subsections (5), (20), and (21) of section
377 334.044, Florida Statutes, are amended, and subsections (40) and
378 (41) are added to that section, to read:

379 334.044 Powers and duties of the department.—The department
380 shall have the following general powers and duties:

381 (5) To purchase, lease, or otherwise acquire property and
382 materials, including the purchase of promotional items as part
383 of public information and education campaigns for the promotion
384 of environmental management, scenic highways, traffic and train
385 safety awareness, commercial motor vehicle safety, workforce
386 development, transportation-related economic development
387 opportunities, advanced air mobility electric vehicle use and



806286

388 ~~charging stations~~, autonomous vehicles, and context
389 classification for electric vehicles and autonomous vehicles; to
390 purchase, lease, or otherwise acquire equipment and supplies;
391 and to sell, exchange, or otherwise dispose of any property that
392 is no longer needed by the department.

393 (20) To operate and maintain designated research
394 facilities, to conduct and enter into contracts and agreements
395 for conducting research studies, and to collect data necessary
396 for the improvement of the state transportation system.

397 (21) To conduct and enter into contracts and agreements for
398 conducting research and demonstration projects relative to
399 innovative transportation technologies.

400 (40) To require local governments to submit applications
401 for federal funding for projects on state-owned rights-of-way,
402 roads, bridges, and limited access facilities to the department
403 for review and approval before submission of such applications
404 to the Federal Government.

405 (41) Notwithstanding any other law, to acquire, own,
406 construct, or operate, or any combination thereof, one or more
407 airports as defined in s. 330.27 for the purpose of supporting
408 advanced air mobility. The department may adopt rules to
409 implement this subsection.

410 Section 19. Section 334.64, Florida Statutes, is created to
411 read:

412 334.64 Department to serve as primary point of contact for
413 LiDAR procurement.—Notwithstanding s. 20.255(9), the department
414 shall serve as the primary point of contact for statewide
415 topographic aerial LiDAR procurement and cost sharing related to
416 statewide geographic information systems and geospatial data



417 sharing. The department may provide these services to other
418 state and local governmental entities by entering into an
419 interagency agreement consistent with chapter 216.
420 Notwithstanding any other provision of law, including any
421 charter, ordinance, statute, or special law, all state agencies
422 and local governmental entities conducting programs or
423 exercising powers relating to topographic aerial LiDAR mapping
424 are authorized to enter into an interagency agreement with the
425 department for the provision by the department of topographic
426 aerial LiDAR procurement and cost-sharing services, and to
427 delegate such authority to conduct programs or exercise powers
428 relating to topographic aerial LiDAR procurement and cost-
429 sharing services to the department pursuant to such interagency
430 agreements. The department may adopt rules to implement this
431 section.

432 Section 20. Paragraphs (a) and (i) of subsection (3) and
433 paragraphs (b), (d), and (r) of subsection (7) of section
434 337.401, Florida Statutes, are amended to read:

435 337.401 Use of right-of-way for utilities subject to
436 regulation; permit; fees.—

437 (3)(a) Because of the unique circumstances applicable to
438 providers of communications services, including, but not limited
439 to, the circumstances described in paragraph (e) and the fact
440 that federal and state law require the nondiscriminatory
441 treatment of providers of telecommunications services, and
442 because of the desire to promote competition among providers of
443 communications services, it is the intent of the Legislature
444 that municipalities and counties treat providers of
445 communications services in a nondiscriminatory and competitively



806286

446 neutral manner when imposing rules or regulations governing the
447 placement or maintenance of communications facilities in the
448 public roads or rights-of-way. Rules or regulations imposed by a
449 municipality or county relating to providers of communications
450 services placing or maintaining communications facilities in its
451 roads or rights-of-way must be generally applicable to all
452 providers of communications services, taking into account the
453 distinct engineering, construction, operation, maintenance,
454 public works, and safety requirements of the provider's
455 facilities, and, notwithstanding any other law, may not require
456 a provider of communications services to apply for or enter into
457 an individual license, franchise, or other agreement with the
458 municipality or county as a condition of placing or maintaining
459 communications facilities in its roads or rights-of-way. In
460 addition to other reasonable rules or regulations that a
461 municipality or county may adopt relating to the placement or
462 maintenance of communications facilities in its roads or rights-
463 of-way under this subsection or subsection (7), a municipality
464 or county may require a provider of communications services that
465 places or seeks to place facilities in its roads or rights-of-
466 way to register with the municipality or county. To register, a
467 provider of communications services may be required only to
468 provide its name; the name, address, and telephone number of a
469 contact person for the registrant; the number of the
470 registrant's current certificate of authorization issued by the
471 Florida Public Service Commission, the Federal Communications
472 Commission, or the Department of State; a statement of whether
473 the registrant is a pass-through provider as defined in
474 subparagraph (6)(a)1.; the registrant's federal employer



806286

475 identification number; and any required proof of insurance or
476 self-insuring status adequate to defend and cover claims. A
477 municipality or county may not require a registrant to renew a
478 registration more frequently than every 5 years but may require
479 during this period that a registrant update the registration
480 information provided under this subsection within 90 days after
481 a change in such information. A municipality or county may not
482 require the registrant to provide an inventory of communications
483 facilities, maps, locations of such facilities, or other
484 information by a registrant as a condition of registration,
485 renewal, or for any other purpose; provided, however, that a
486 municipality or county may require as part of a permit
487 application that the applicant identify at-grade communications
488 facilities within 50 feet of the proposed installation location
489 for the placement of at-grade communications facilities. A
490 municipality or county may not require that a provider locate or
491 perform a survey of any facilities except its own or any right-
492 of-way boundary when requesting a permit consistent with chapter
493 556. If the owner of a facility fails to locate their facilities
494 as required under chapter 556, a provider must use reasonable
495 care and detection equipment or other acceptable means to avoid
496 damaging existing underground facilities. A municipality or
497 county may not require a provider to pay any fee, cost, or other
498 charge for registration or renewal thereof. A municipality or
499 county may not limit the number of permits in any way, including
500 by project size or by limiting the number of open permits or
501 applications, provided that the permit is closed out within 45
502 days after the provider's completion of work. A municipality or
503 county may require the submission or maintenance of a bond or



806286

504 other financial instrument as set out in this section but may
505 not require a cash deposit or other escrow, payment, or exaction
506 as a condition of issuing a permit. It is the intent of the
507 Legislature that the placement, operation, maintenance,
508 upgrading, and extension of communications facilities not be
509 unreasonably interrupted or delayed through the permitting or
510 other local regulatory process. Except as provided in this
511 chapter or otherwise expressly authorized by chapter 202,
512 chapter 364, or chapter 610, a municipality or county may not
513 adopt or enforce any ordinance, regulation, or requirement as to
514 the placement or operation of communications facilities in a
515 right-of-way by a communications services provider authorized by
516 state or local law to operate in a right-of-way; regulate any
517 communications services; or impose or collect any tax, fee,
518 cost, charge, or exaction for the placement of communications
519 facilities or the provision of communications services over the
520 communications services provider's communications facilities in
521 a right-of-way.

522 (i) Except as expressly provided in this section, this
523 section does not modify the authority of municipalities and
524 counties to levy the tax authorized in chapter 202 or the duties
525 of providers of communications services under ss. 337.402-
526 337.404. This section does not apply to ~~building permits,~~ pole
527 attachments, ~~or~~ private roads, private easements, ~~and~~ private
528 rights-of-way, or building permits unrelated to the placement of
529 communications facilities.

530 (7)

531 (b) As used in this section ~~subsection~~, the term:

532 1. "Antenna" means communications equipment that transmits



806286

533 or receives electromagnetic radio frequency signals used in
534 providing wireless services.

535 2. "Applicable codes" means uniform building, fire,
536 electrical, plumbing, or mechanical codes adopted by a
537 recognized national code organization or local amendments to
538 those codes enacted solely to address threats of destruction of
539 property or injury to persons, and includes the National
540 Electric Safety Code and the 2017 edition of the Florida
541 Department of Transportation Utility Accommodation Manual.

542 3. "Applicant" means a person who submits an application
543 and is a wireless provider.

544 4. "Application" means a request submitted by an applicant
545 to an authority for a permit to collocate small wireless
546 facilities, ~~or to~~ place a new utility pole used to support a
547 small wireless facility, or place other communications
548 facilities. An authority's permit application form or process
549 must include all required permissions, however designated,
550 required by the authority to grant a permit to place
551 communications facilities, including, but not limited to, right-
552 of-way occupancy, building permits, electrical permits, or
553 historic review.

554 5. "Authority" means a county or municipality having
555 jurisdiction and control of the rights-of-way of any public
556 road. The term does not include the Department of
557 Transportation. Rights-of-way under the jurisdiction and control
558 of the department are excluded from this subsection.

559 6. "Authority utility pole" means a utility pole owned by
560 an authority in the right-of-way. The term does not include a
561 utility pole owned by a municipal electric utility, a utility



562 pole used to support municipally owned or operated electric
563 distribution facilities, or a utility pole located in the right-
564 of-way within:

565 a. A retirement community that:

566 (I) Is deed restricted as housing for older persons as
567 defined in s. 760.29(4) (b);

568 (II) Has more than 5,000 residents; and

569 (III) Has underground utilities for electric transmission
570 or distribution.

571 b. A municipality that:

572 (I) Is located on a coastal barrier island as defined in s.
573 161.053(1) (b)3.;

574 (II) Has a land area of less than 5 square miles;

575 (III) Has less than 10,000 residents; and

576 (IV) Has, before July 1, 2017, received referendum approval
577 to issue debt to finance municipal-wide undergrounding of its
578 utilities for electric transmission or distribution.

579 7. "Collocate" or "collocation" means to install, mount,
580 maintain, modify, operate, or replace one or more wireless
581 facilities on, under, within, or adjacent to a wireless support
582 structure or utility pole. The term does not include the
583 installation of a new utility pole or wireless support structure
584 in the public rights-of-way.

585 ~~8. "FCC" means the Federal Communications Commission.~~

586 ~~9.~~ "Micro wireless facility" means a small wireless
587 facility having dimensions no larger than 24 inches in length,
588 15 inches in width, and 12 inches in height and an exterior
589 antenna, if any, no longer than 11 inches.

590 ~~9.10.~~ "Small wireless facility" means a wireless facility



806286

591 that meets the following qualifications:

592 a. Each antenna associated with the facility is located
593 inside an enclosure of no more than 6 cubic feet in volume or,
594 in the case of antennas that have exposed elements, each antenna
595 and all of its exposed elements could fit within an enclosure of
596 no more than 6 cubic feet in volume; and

597 b. All other wireless equipment associated with the
598 facility is cumulatively no more than 28 cubic feet in volume.
599 The following types of associated ancillary equipment are not
600 included in the calculation of equipment volume: electric
601 meters, concealment elements, telecommunications demarcation
602 boxes, ground-based enclosures, grounding equipment, power
603 transfer switches, cutoff switches, vertical cable runs for the
604 connection of power and other services, and utility poles or
605 other support structures.

606 ~~10.11.~~ "Utility pole" means a pole or similar structure
607 that is used in whole or in part to provide communications
608 services or for electric distribution, lighting, traffic
609 control, signage, or a similar function. The term includes the
610 vertical support structure for traffic lights but does not
611 include a horizontal structure to which signal lights or other
612 traffic control devices are attached and does not include a pole
613 or similar structure 15 feet in height or less unless an
614 authority grants a waiver for such pole.

615 ~~11.12.~~ "Wireless facility" means equipment at a fixed
616 location which enables wireless communications between user
617 equipment and a communications network, including radio
618 transceivers, antennas, wires, coaxial or fiber-optic cable or
619 other cables, regular and backup power supplies, and comparable



806286

620 equipment, regardless of technological configuration, and
621 equipment associated with wireless communications. The term
622 includes small wireless facilities. The term does not include:

623 a. The structure or improvements on, under, within, or
624 adjacent to the structure on which the equipment is collocated;

625 b. Wireline backhaul facilities; or

626 c. Coaxial or fiber-optic cable that is between wireless
627 structures or utility poles or that is otherwise not immediately
628 adjacent to or directly associated with a particular antenna.

629 ~~12.13.~~ "Wireless infrastructure provider" means a person
630 who has been certificated under chapter 364 to provide
631 telecommunications service or under chapter 610 to provide cable
632 or video services in this state, or that person's affiliate, and
633 who builds or installs wireless communication transmission
634 equipment, wireless facilities, or wireless support structures
635 but is not a wireless services provider.

636 ~~13.14.~~ "Wireless provider" means a wireless infrastructure
637 provider or a wireless services provider.

638 ~~14.15.~~ "Wireless services" means any services provided
639 using licensed or unlicensed spectrum, whether at a fixed
640 location or mobile, using wireless facilities.

641 ~~15.16.~~ "Wireless services provider" means a person who
642 provides wireless services.

643 ~~16.17.~~ "Wireless support structure" means a freestanding
644 structure, such as a monopole, a guyed or self-supporting tower,
645 or another existing or proposed structure designed to support or
646 capable of supporting wireless facilities. The term does not
647 include a utility pole, pedestal, or other support structure for
648 ground-based equipment not mounted on a utility pole and less



806286

649 than 5 feet in height.

650 (d) An authority may require a registration process and
651 permit fees in accordance with subsection (3). An authority
652 shall accept applications for permits and shall process and
653 issue permits subject to the following requirements:

654 1. An authority may not directly or indirectly require an
655 applicant to perform services unrelated to the collocation for
656 which approval is sought, such as in-kind contributions to the
657 authority, including reserving fiber, conduit, or pole space for
658 the authority.

659 2. An applicant may not be required to provide more
660 information to obtain a permit than is necessary to demonstrate
661 the applicant's compliance with applicable codes for the
662 placement of small wireless facilities in the locations
663 identified in the application. An applicant may not be required
664 to provide inventories, maps, or locations of communications
665 facilities in the right-of-way other than as necessary to avoid
666 interference with other at-grade or aerial facilities located at
667 the specific location proposed for a small wireless facility or
668 within 50 feet of such location.

669 3. An authority may not:

670 a. Require the placement of small wireless facilities on
671 any specific utility pole or category of poles;

672 b. Require the placement of multiple antenna systems on a
673 single utility pole;

674 c. Require a demonstration that collocation of a small
675 wireless facility on an existing structure is not legally or
676 technically possible as a condition for granting a permit for
677 the collocation of a small wireless facility on a new utility



806286

678 pole except as provided in paragraph (i);
679 d. Require compliance with an authority's provisions
680 regarding placement of communications facilities, including
681 small wireless facilities or ~~a~~ new utility poles ~~pole~~ used to
682 support ~~a~~ small wireless facilities, facility in rights-of-way
683 under the control of the department unless the authority has
684 received a delegation from the department for the location of
685 the small wireless facility or utility pole;~~;~~ or require such
686 compliance as a condition to receive a permit that is ancillary
687 to the permit for collocation of a small wireless facility,
688 including an electrical permit;
689 e. Require a meeting before filing an application;
690 f. Require direct or indirect public notification or a
691 public meeting for the placement of communication facilities in
692 the right-of-way;
693 g. Limit the size or configuration of a small wireless
694 facility or any of its components, if the small wireless
695 facility complies with the size limits in this subsection;
696 h. Prohibit the installation of a new utility pole used to
697 support the collocation of a small wireless facility if the
698 installation otherwise meets the requirements of this
699 subsection; ~~or~~
700 i. Require that any component of a small wireless facility
701 be placed underground except as provided in paragraph (i); or
702 j. Require compliance with provisions regarding the
703 placement of communications facilities, including small wireless
704 facilities or new utility poles used to support small wireless
705 facilities, in rights-of-way not owned and controlled by the
706 authority and public utility easements that are within areas not



707 owned and controlled by the authority unless a permit delegation
708 agreement exists between the authority and the owner of the
709 right-of-way or area that contains the public utility easement.

710 4. Subject to paragraph (r), an authority may not limit the
711 placement, by minimum separation distances, of small wireless
712 facilities, utility poles on which small wireless facilities are
713 or will be collocated, or other at-grade communications
714 facilities. However, within 14 days after the date of filing the
715 application, an authority may request that the proposed location
716 of a small wireless facility be moved to another location in the
717 right-of-way and placed on an alternative authority utility pole
718 or support structure or placed on a new utility pole. The
719 authority and the applicant may negotiate the alternative
720 location, including any objective design standards and
721 reasonable spacing requirements for ground-based equipment, for
722 30 days after the date of the request. At the conclusion of the
723 negotiation period, if the alternative location is accepted by
724 the applicant, the applicant must notify the authority of such
725 acceptance and the application shall be deemed granted for any
726 new location for which there is agreement and all other
727 locations in the application. If an agreement is not reached,
728 the applicant must notify the authority of such nonagreement and
729 the authority must grant or deny the original application within
730 90 days after the date the application was filed. A request for
731 an alternative location, an acceptance of an alternative
732 location, or a rejection of an alternative location must be in
733 writing and provided by electronic mail.

734 5. An authority shall limit the height of a small wireless
735 facility to 10 feet above the utility pole or structure upon



806286

736 which the small wireless facility is to be collocated. Unless
737 waived by an authority, the height for a new utility pole is
738 limited to the tallest existing utility pole as of July 1, 2017,
739 located in the same right-of-way, other than a utility pole for
740 which a waiver has previously been granted, measured from grade
741 in place within 500 feet of the proposed location of the small
742 wireless facility. If there is no utility pole within 500 feet,
743 the authority shall limit the height of the utility pole to 50
744 feet.

745 6. The installation by a communications services provider
746 of a utility pole in the public rights-of-way, other than a
747 utility pole used to support a small wireless facility, is
748 subject to authority rules or regulations governing the
749 placement of utility poles in the public rights-of-way.

750 7. Within 14 days after receiving an application, an
751 authority must determine and notify the applicant by electronic
752 mail as to whether the application is complete. If an
753 application is deemed incomplete, the authority must
754 specifically identify the missing information. An application is
755 deemed complete if the authority fails to provide notification
756 to the applicant within 14 days.

757 8. An application must be processed on a nondiscriminatory
758 basis. A complete application is deemed approved if an authority
759 fails to approve or deny the application within 60 days after
760 receipt of the application. If an authority does not use the 30-
761 day negotiation period provided in subparagraph 4., the parties
762 may mutually agree to extend the 60-day application review
763 period. The authority shall grant or deny the application at the
764 end of the extended period. A permit issued pursuant to an



765 approved application shall remain effective for 1 year unless
766 extended by the authority.

767 9. An authority must notify the applicant of approval or
768 denial by electronic mail. An authority shall approve a complete
769 application unless it does not meet the authority's applicable
770 codes. If the application is denied, the authority must specify
771 in writing the basis for denial, including the specific code
772 provisions on which the denial was based, and send the
773 documentation to the applicant by electronic mail on the day the
774 authority denies the application. The applicant may cure the
775 deficiencies identified by the authority and resubmit the
776 application within 30 days after notice of the denial is sent to
777 the applicant. The authority shall approve or deny the revised
778 application within 30 days after receipt or the application is
779 deemed approved. The review of a revised application is limited
780 to the deficiencies cited in the denial. If an authority
781 provides for administrative review of the denial of an
782 application, the review must be complete and a written decision
783 issued within 45 days after a written request for review is
784 made. A denial must identify the specific code provisions on
785 which the denial is based. If the administrative review is not
786 complete within 45 days, the authority waives any claim
787 regarding failure to exhaust administrative remedies in any
788 judicial review of the denial of an application.

789 10. An applicant seeking to collocate small wireless
790 facilities within the jurisdiction of a single authority may, at
791 the applicant's discretion, file a consolidated application and
792 receive a single permit for the collocation of up to 30 small
793 wireless facilities. If the application includes multiple small



806286

794 wireless facilities, an authority may separately address small
795 wireless facility collocations for which incomplete information
796 has been received or which are denied.

797 11. An authority may deny an application to collocate a
798 small wireless facility or place a utility pole used to support
799 a small wireless facility in the public rights-of-way if the
800 proposed small wireless facility or utility pole used to support
801 a small wireless facility:

802 a. Materially interferes with the safe operation of traffic
803 control equipment.

804 b. Materially interferes with sight lines or clear zones
805 for transportation, pedestrians, or public safety purposes.

806 c. Materially interferes with compliance with the Americans
807 with Disabilities Act or similar federal or state standards
808 regarding pedestrian access or movement.

809 d. Materially fails to comply with the 2017 edition of the
810 Florida Department of Transportation Utility Accommodation
811 Manual.

812 e. Fails to comply with applicable codes.

813 f. Fails to comply with objective design standards
814 authorized under paragraph (r).

815 12. An authority may adopt by ordinance provisions for
816 insurance coverage, indemnification, force majeure, abandonment,
817 authority liability, or authority warranties. Such provisions
818 must be reasonable and nondiscriminatory and apply to all
819 providers of communications services, including, if applicable,
820 any local government or nonprofit providers. An authority may
821 require a construction bond to secure restoration of the
822 postconstruction rights-of-way to the preconstruction condition.



806286

823 However, such bond must be time-limited to not more than 18
824 months after the construction to which the bond applies is
825 completed, and such bond must be reasonably related to the cost
826 to secure restoration of the rights-of-way. An authority may not
827 limit the number of permits allowed under the same bond. For any
828 financial obligation required by an authority allowed under this
829 section, the authority may not limit the number of permits in
830 any way, including by project size or by limiting the number of
831 applications or open permits, provided that the permit is closed
832 out within 45 days after the provider's completion of work; may
833 not impose additional requirements based on the scope or linear
834 feet of the project; and shall accept, at the option of the
835 applicant, a bond or a letter of credit or similar financial
836 instrument issued by any financial institution that is
837 authorized to do business within the United States ~~and, provided~~
838 that a claim against the financial instrument may be made by
839 electronic means, ~~including by facsimile~~. An authority may not
840 require a deposit or escrow of cash as a condition of issuing a
841 permit or compel the applicant to agree to any additional terms
842 or agreements not specifically authorized by this act or
843 directly related to the work set out in the application. A
844 provider of communications services may add an authority to any
845 existing bond, insurance policy, or other relevant financial
846 instrument, and the authority must accept such proof of coverage
847 without any conditions other than consent to venue for purposes
848 of any litigation to which the authority is a party. An
849 authority may not require a communications services provider to
850 indemnify it for liabilities not caused by the provider, its
851 agents, or its employees, including liabilities arising from the



806286

852 authority's negligence, gross negligence, or willful conduct by
853 an unaffiliated third party.

854 13. Collocation of a small wireless facility on an
855 authority utility pole does not provide the basis for the
856 imposition of an ad valorem tax on the authority utility pole.

857 14. An authority may reserve space on authority utility
858 poles for future public safety uses. However, a reservation of
859 space may not preclude collocation of a small wireless facility.
860 If replacement of the authority utility pole is necessary to
861 accommodate the collocation of the small wireless facility and
862 the future public safety use, the pole replacement is subject to
863 make-ready provisions and the replaced pole shall accommodate
864 the future public safety use.

865 15. A structure granted a permit and installed pursuant to
866 this subsection shall comply with chapter 333 and federal
867 regulations pertaining to airport airspace protections.

868 (r) An authority may require wireless providers to comply
869 with objective design standards adopted by ordinance. The
870 ordinance may only require:

871 1. A new utility pole that replaces an existing utility
872 pole to be of substantially similar design, material, and color;

873 2. Reasonable spacing requirements concerning the location
874 of a ground-mounted component of a small wireless facility which
875 does not exceed 15 feet from the associated support structure;
876 or

877 3. A small wireless facility to meet reasonable location
878 context, color, camouflage, and concealment requirements,
879 subject to the limitations in this subsection; and

880 4. A new utility pole used to support a small wireless



881 facility to meet reasonable location context, color, and
882 material of the predominant utility pole type at the proposed
883 location of the new utility pole.

884
885 Such design standards under this paragraph may be waived by the
886 authority upon a showing that the design standards are not
887 reasonably compatible for the particular location of a small
888 wireless facility or utility pole or are technically infeasible
889 or that the design standards impose an excessive expense. The
890 waiver must be granted or denied within 45 days after the date
891 of the request. An authority may not require landscaping,
892 landscaping maintenance, or vegetation management other than
893 that necessary for right-of-way restoration.

894 Section 21. Present paragraphs (b) and (c) of subsection
895 (3) of section 338.231, Florida Statutes, are redesignated as
896 paragraphs (c) and (d), respectively, a new paragraph (b) is
897 added to that subsection, and paragraph (a) of that subsection
898 is amended, to read:

899 338.231 Turnpike tolls, fixing; pledge of tolls and other
900 revenues.—The department shall at all times fix, adjust, charge,
901 and collect such tolls and amounts for the use of the turnpike
902 system as are required in order to provide a fund sufficient
903 with other revenues of the turnpike system to pay the cost of
904 maintaining, improving, repairing, and operating such turnpike
905 system; to pay the principal of and interest on all bonds issued
906 to finance or refinance any portion of the turnpike system as
907 the same become due and payable; and to create reserves for all
908 such purposes.

909 (3) (a) 1. For the period July 1, 1998, through June 30, 2029



806286

910 2027, the department shall, to the maximum extent feasible,
911 program sufficient funds in the tentative work program such that
912 the percentage of turnpike toll and bond financed commitments in
913 Miami-Dade County, Broward County, and Palm Beach County as
914 compared to total turnpike toll and bond financed commitments
915 shall be at least 90 percent of the share of net toll
916 collections attributable to users of the turnpike system in
917 Miami-Dade County, Broward County, and Palm Beach County as
918 compared to total net toll collections attributable to users of
919 the turnpike system.

920 2. Beginning in the 2029-2030 fiscal year, the department
921 shall, to the maximum extent feasible, program sufficient funds
922 in the tentative work program such that 100 percent of the share
923 of net toll collections attributable to users of the turnpike
924 system in Miami-Dade County, Broward County, and Palm Beach
925 County is used for turnpike toll and bond financed commitments
926 in those counties.

927
928 This paragraph subsection does not apply when the application of
929 such requirements would violate any covenant established in a
930 resolution or trust indenture relating to the issuance of
931 turnpike bonds.

932 (b) The department may at any time for economic
933 considerations establish lower temporary toll rates for a new or
934 existing toll facility for a period not to exceed 1 year, after
935 which the toll rates adopted pursuant to s. 120.54 shall become
936 effective.

937 Section 22. Paragraph (b) of subsection (2) and paragraph
938 (d) of subsection (5) of section 339.81, Florida Statutes, are



806286

939 amended to read:

940 339.81 Florida Shared-Use Nonmotorized Trail Network.—

941 (2)

942 (b) The multiuse trails or shared-use paths of the
943 statewide network must be physically separated from motor
944 vehicle traffic and constructed with asphalt, concrete, or
945 another improved hard surface approved by the department.

946 (5)

947 (d) To the greatest extent practicable, the department
948 shall program projects in the work program to plan for
949 development of the entire trail and to minimize the creation of
950 gaps between trail segments. The department shall, at a minimum,
951 ensure that local support exists for projects and trail
952 segments, including the availability or dedication of local
953 funding sources and of contributions by private landowners who
954 agree to make their land, or property interests in such land,
955 available for public use as a trail. The department may also
956 consider any sponsorship agreement entered into pursuant to
957 subsection (7).

958 Section 23. Subsection (16) of section 341.041, Florida
959 Statutes, is amended to read:

960 341.041 Transit responsibilities of the department.—The
961 department shall, within the resources provided pursuant to
962 chapter 216:

963 (16) Unless otherwise provided by state or federal law,
964 ensure that all grants and agreements between the department and
965 entities providing paratransit services to persons with
966 disabilities include, at a minimum, the following provisions:

967 (a) Performance requirements for the delivery of services,



806286

968 including clear penalties for repeated or continuing violations;

969 (b) Minimum liability insurance requirements for all
970 transportation services purchased, provided, or coordinated for
971 the transportation disadvantaged, as defined in s. 427.011(1),
972 through the contracted vendor or subcontractor thereof;

973 (c) Complaint and grievance processes for users of
974 paratransit services for persons with disabilities users,
975 including a requirement that all reported complaints,
976 grievances, and resolutions be reported to the department on a
977 quarterly basis; and

978 (d) A requirement that the provisions of paragraphs (a),
979 (b), and (c) must be included in any agreement between an entity
980 receiving a grant or an agreement from the department and such
981 entity's contractors or subcontractors that provide paratransit
982 services for persons with disabilities.

983 Section 24. Section 479.25, Florida Statutes, is amended to
984 read:

985 479.25 Erection of noise-attenuation barrier or obstruction
986 blocking view of sign; procedures; application.-

987 (1) The owner of a lawfully erected sign that is governed
988 by and conforms to state and federal requirements for land use,
989 size, height, and spacing may increase the height above ground
990 level of such sign at its permitted location if a noise-
991 attenuation barrier, ramp, or braided bridge is permitted by or
992 erected by any governmental entity in such a way as to screen or
993 block visibility of the sign. Any increase in height permitted
994 under this section may only be the increase in height which is
995 required to achieve the same degree of visibility from the
996 right-of-way which the sign had before the construction of the



997 noise-attenuation barrier, ramp, or braided bridge,
998 notwithstanding the restrictions contained in s. 479.07(9)(b). A
999 sign reconstructed under this section must comply with the
1000 building standards and wind load requirements provided in the
1001 Florida Building Code. If construction of a proposed noise-
1002 attenuation barrier, ramp, or braided bridge will screen a sign
1003 lawfully permitted under this chapter, the department shall
1004 provide notice to the local government or local jurisdiction
1005 within which the sign is located before construction. Upon a
1006 determination that an increase in the height of a sign as
1007 permitted under this section will violate an ordinance or a land
1008 development regulation of the local government or local
1009 jurisdiction, the local government or local jurisdiction shall,
1010 before construction:

1011 (a) Provide a variance or waiver to the local ordinance or
1012 land development regulations to allow an increase in the height
1013 of the sign;

1014 (b) Allow the sign to be relocated or reconstructed at
1015 another location if the sign owner agrees; or

1016 (c) Pay the fair market value of the sign and its
1017 associated interest in the real property.

1018 (2) The department shall hold a public hearing within the
1019 boundaries of the affected local governments or local
1020 jurisdictions to receive input on the proposed noise-attenuation
1021 barrier, ramp, or braided bridge and its conflict with the local
1022 ordinance or land development regulation and to suggest or
1023 consider alternatives or modifications to alleviate or minimize
1024 the conflict with the local ordinance or land development
1025 regulation or minimize any costs that may be associated with



806286

1026 relocating, reconstructing, or paying for the affected sign. The
1027 public hearing may be held concurrently with other public
1028 hearings scheduled for the project. The department shall provide
1029 a written notification to the local government or local
1030 jurisdiction of the date and time of the public hearing and
1031 shall provide general notice of the public hearing in accordance
1032 with the notice provisions of s. 335.02(1). The notice may not
1033 be placed in that portion of a newspaper in which legal notices
1034 or classified advertisements appear. The notice must
1035 specifically state that:

1036 (a) Erection of the proposed noise-attenuation barrier,
1037 ramp, or braided bridge may block the visibility of an existing
1038 outdoor advertising sign;

1039 (b) The local government or local jurisdiction may restrict
1040 or prohibit increasing the height of the existing outdoor
1041 advertising sign; and

1042 (c) Upon construction of the noise-attenuation barrier,
1043 ramp, or braided bridge, the local government or local
1044 jurisdiction shall:

1045 1. Allow an increase in the height of the sign through a
1046 waiver or variance to a local ordinance or land development
1047 regulation;

1048 2. Allow the sign to be relocated or reconstructed at
1049 another location if the sign owner agrees; or

1050 3. Pay the fair market value of the sign and its associated
1051 interest in the real property.

1052 (3) The department may not permit erection of the noise-
1053 attenuation barrier, ramp, or braided bridge to the extent the
1054 barrier or obstruction screens or blocks visibility of the sign



806286

1055 until after the public hearing is held.

1056 (4) This section does not apply to any existing written
1057 agreement executed before July 1, 2006, between any local
1058 government and the owner of an outdoor advertising sign.

1059 Section 25. Section 790.19, Florida Statutes, is amended to
1060 read:

1061 790.19 Shooting into or throwing deadly missiles into
1062 dwellings, public or private buildings, occupied or not
1063 occupied; vessels, aircraft, buses, railroad cars, streetcars,
1064 or other vehicles.—A person who ~~Whoever~~, wantonly or
1065 maliciously, shoots at, within, or into, or throws a ~~any~~ missile
1066 or hurls or projects a stone or other hard substance which would
1067 produce death or great bodily harm, at, within, or in a ~~any~~
1068 public or private building, occupied or unoccupied; a, ~~or~~ public
1069 or private bus or a ~~any~~ train, locomotive, railway car, caboose,
1070 cable railway car, street railway car, monorail car, or vehicle
1071 of any kind which is being used or occupied by a ~~any~~ person; an
1072 autonomous vehicle, occupied or unoccupied; a, ~~or any~~ boat,
1073 vessel, ship, or barge lying in or plying the waters of this
1074 state; ~~7~~ or an aircraft flying through the airspace of this state
1075 commits ~~shall be guilty of~~ a felony of the second degree,
1076 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1077 Section 26. Present subsections (8) through (12) of section
1078 806.13, Florida Statutes, are redesignated as subsections (9)
1079 through (13), respectively, a new subsection (8) is added to
1080 that section, and present subsection (11) of that section is
1081 amended, to read:

1082 806.13 Criminal mischief; penalties; penalty for minor.—

1083 (8) A person who willfully or maliciously defaces, injures,



806286

1084 or damages by any means an autonomous vehicle as defined in s.
1085 316.003(3)(a) commits a felony of the third degree, punishable
1086 as provided in s. 775.082, s. 775.083, or s. 775.084, if the
1087 damage to the vehicle is greater than \$200.

1088 (12)~~(11)~~ A minor whose driver license or driving privilege
1089 is revoked, suspended, or withheld under subsection (11) ~~(10)~~
1090 may elect to reduce the period of revocation, suspension, or
1091 withholding by performing community service at the rate of 1 day
1092 for each hour of community service performed. In addition, if
1093 the court determines that due to a family hardship, the minor's
1094 driver license or driving privilege is necessary for employment
1095 or medical purposes of the minor or a member of the minor's
1096 family, the court shall order the minor to perform community
1097 service and reduce the period of revocation, suspension, or
1098 withholding at the rate of 1 day for each hour of community
1099 service performed. As used in this subsection, the term
1100 "community service" means cleaning graffiti from public
1101 property.

1102 Section 27. Section 8 of chapter 2006-316, Laws of Florida,
1103 is amended to read:

1104 Section 8. Senator N. Ray Carroll Memorial Interchange
1105 designated; Department of Transportation to erect suitable
1106 markers.-

1107 (1) Upon completion of construction, the New Nolte Road
1108 Interchange ~~The Florida Turnpike interchange being constructed~~
1109 ~~at Milepost 240 and Kissimmee Park Road~~ in Osceola County is
1110 designated as "Senator N. Ray Carroll Memorial Interchange."

1111 (2) The Department of Transportation is directed to erect
1112 suitable markers designating Senator N. Ray Carroll Memorial



1113 Interchange as described in subsection (1).

1114

1115 ===== T I T L E A M E N D M E N T =====

1116 And the title is amended as follows:

1117 Delete lines 3 - 106

1118 and insert:

1119 20.23, F.S.; revising the membership composition of
1120 the Florida Transportation Research Institute;
1121 amending s. 260.0142, F.S.; requiring the Florida
1122 Greenways and Trails Council to meet within a certain
1123 timeframe for a certain purpose; amending s. 311.14,
1124 F.S.; providing requirements for an infrastructure
1125 development and improvement component included in a
1126 port's strategic plan; defining the term "critical
1127 infrastructure resources"; creating s. 311.26, F.S.;
1128 requiring the Department of Transportation to
1129 coordinate with the Department of Commerce, specified
1130 ports, and the Federal Government for a certain
1131 purpose; requiring ports to support certain projects;
1132 requiring that such projects be evaluated in a certain
1133 manner; amending s. 316.003, F.S.; revising the
1134 definition of the term "personal delivery device";
1135 amending s. 316.008, F.S.; authorizing the operation
1136 of a personal delivery device on certain sidewalks,
1137 crosswalks, bicycle lanes, and bicycle paths and on
1138 the shoulders of certain streets, roadways, and
1139 highways; prohibiting the operation of a personal
1140 delivery device or mobile carrier within a theme park
1141 or entertainment complex or certain independent



806286

1142 special districts; prohibiting counties and
1143 municipalities from enacting, imposing, levying,
1144 collecting, or enforcing certain fees; providing an
1145 exception; amending s. 316.2071, F.S.; conforming
1146 provisions to changes made by the act; prohibiting a
1147 personal delivery device from operating as otherwise
1148 authorized unless the personal delivery device meets
1149 certain criteria and a human operator is capable of
1150 controlling and monitoring its navigation and
1151 operation; prohibiting a personal delivery device from
1152 operating on a limited access facility; prohibiting a
1153 personal delivery device or mobile carrier from
1154 operating within a theme park or entertainment complex
1155 or certain independent special districts; authorizing
1156 rulemaking; amending s. 320.06, F.S.; authorizing
1157 certain rental trucks to elect a permanent
1158 registration period; repealing s. 322.032, F.S.,
1159 relating to digital proof of driver license or
1160 identification card; amending ss. 322.059 and 322.15,
1161 F.S.; conforming provisions to changes made by the
1162 act; repealing s. 324.252, F.S., relating to
1163 electronic insurance verification; amending s. 330.41,
1164 F.S.; prohibiting a political subdivision from
1165 withholding issuance of a business tax receipt,
1166 development permit, or other land use approval to
1167 certain drone delivery services and from enacting or
1168 enforcing ordinances or resolutions that prohibit
1169 drone delivery service operation; revising
1170 construction; prohibiting a drone delivery service



806286

1171 from operating within a theme park or entertainment
1172 complex or certain independent special districts;
1173 providing that the addition of a drone delivery
1174 service within a certain parking area does not reduce
1175 the number of parking spaces in the parking area for a
1176 certain purpose; amending s. 332.001, F.S.; revising
1177 duties of the Department of Transportation relating to
1178 airport systems in this state; amending s. 332.006,
1179 F.S.; requiring the department to coordinate with
1180 commercial service airports to review and evaluate
1181 certain federal policies and programs; amending s.
1182 332.0075, F.S.; requiring commercial service airports
1183 to develop a plan for obtaining and maintaining
1184 critical infrastructure resources; providing
1185 requirements for such plans; defining the term
1186 "critical infrastructure resources"; amending s.
1187 334.03, F.S.; defining the term "advanced air mobility
1188 corridor connection point"; revising the definition of
1189 the term "transportation corridor"; amending s.
1190 334.044, F.S.; authorizing the department to purchase,
1191 lease, or otherwise acquire property and materials for
1192 the promotion of transportation-related economic
1193 development opportunities and advanced air mobility;
1194 deleting the authority of the department to purchase,
1195 lease, or otherwise acquire property and materials for
1196 the promotion of electric vehicle use and charging
1197 stations; authorizing the department to operate and
1198 maintain certain research facilities, enter into
1199 certain contracts and agreements, require local



1200 governments to submit certain applications for federal
1201 funding to the department for review and approval
1202 before submission to the Federal Government, and
1203 acquire, own, construct, or operate airports for a
1204 specified purpose; authorizing the department to adopt
1205 rules; creating s. 334.64, F.S.; providing that the
1206 department serves as the primary point of contact for
1207 statewide topographic aerial LiDAR procurement and
1208 certain cost sharing; authorizing the department to
1209 provide certain services to other governmental
1210 entities through interagency agreements; authorizing
1211 rulemaking; amending s. 337.401, F.S.; prohibiting
1212 municipalities and counties from requiring that
1213 providers locate or perform surveys of certain
1214 facilities; requiring a provider to use certain means
1215 to avoid damaging certain facilities under specified
1216 circumstances; prohibiting municipalities and counties
1217 from taking certain actions relating to certain
1218 facility permits; authorizing municipalities and
1219 counties to require a bond or other financial
1220 instrument; prohibiting municipalities and counties
1221 from imposing or collecting a tax, fee, cost, charge,
1222 or exaction for the placement of certain
1223 communications facilities; revising applicability;
1224 revising the definition of the term "application";
1225 prohibiting an authority from requiring compliance
1226 with an authority's provisions regarding placement of
1227 communications facilities in certain locations;
1228 providing exceptions; requiring that certain authority



1229 ordinances apply to all providers of communications
1230 services; providing bond requirements; providing
1231 requirements for certain financial obligations
1232 required by an authority; prohibiting an authority
1233 from requiring a deposit or escrow of cash or
1234 agreement with certain terms; prohibiting an authority
1235 from requiring a communications service provider to
1236 indemnify it for certain liabilities; prohibiting an
1237 authority from imposing certain landscaping and
1238 vegetation management requirements; amending s.
1239 338.231, F.S.; revising the period through which the
1240 department, to the extent possible, is required to
1241 program sufficient funds in the tentative work program
1242 for a specified purpose; requiring the department, to
1243 the extent possible, to program sufficient funds in
1244 the tentative work program for a specified purpose
1245 beginning in a specified fiscal year; amending s.
1246 339.81, F.S.; revising construction materials that may
1247 be used for certain multiuse trails or shared-use
1248 paths; authorizing the department to consider certain
1249 sponsorship agreements; amending s. 341.041, F.S.;
1250 revising the entities whose specified grants and
1251 agreements the department is required to ensure
1252 include certain provisions; revising such provisions;
1253 amending s. 479.25, F.S.; revising provisions
1254 authorizing the owners of certain signs to increase
1255 the height above ground level of such signs under
1256 certain circumstances to include in such circumstances
1257 the permitting or erection of certain ramps and



806286

1258 braided bridges; conforming provisions to changes made
1259 by the act; amending s. 790.19, F.S.; providing
1260 criminal penalties for shooting at, within, or into,
1261 or throwing, hurling, or projecting certain objects
1262 at, within, or in, an autonomous vehicle; amending s.
1263 806.13, F.S.; providing criminal penalties for
1264 defacing, injuring, or damaging an autonomous vehicle
1265 if the value of the damage is in excess of a specified
1266 amount; amending chapter 2006-316, Laws of Florida;
1267 revising a specified interchange designation;
1268 requiring

By the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senator Massullo

606-02820-26

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1 A bill to be entitled
 2 An act relating to transportation; amending s.
 3 260.0142, F.S.; requiring the Florida Greenways and
 4 Trails Council to meet within a certain timeframe for
 5 a certain purpose; amending s. 311.14, F.S.; providing
 6 requirements for an infrastructure development and
 7 improvement component included in a port's strategic
 8 plan; defining the term "critical infrastructure
 9 resources"; creating s. 311.26, F.S.; requiring the
 10 Department of Transportation to coordinate with the
 11 Department of Commerce, specified ports, and the
 12 Federal Government for a certain purpose; requiring
 13 ports to support certain projects; requiring that such
 14 projects be evaluated in a certain manner; amending s.
 15 316.003, F.S.; revising the definition of the term
 16 "personal delivery device"; amending s. 316.008, F.S.;
 17 authorizing the operation of a personal delivery
 18 device on certain sidewalks, crosswalks, bicycle
 19 lanes, and bicycle paths and on the shoulders of
 20 certain streets, roadways, and highways; prohibiting
 21 counties and municipalities from enacting, imposing,
 22 levying, collecting, or enforcing certain operating
 23 fees and advertising regulations; amending s.
 24 316.2071, F.S.; conforming provisions to changes made
 25 by the act; prohibiting a personal delivery device
 26 from operating as otherwise authorized unless the
 27 personal delivery device meets certain criteria and a
 28 human operator is capable of controlling and
 29 monitoring its navigation and operation; prohibiting

Page 1 of 43

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

606-02820-26

20261220c2

30 the operation of a personal delivery device on a
 31 limited access facility; authorizing rulemaking;
 32 amending s. 320.06, F.S.; authorizing certain rental
 33 trucks to elect a permanent registration period;
 34 repealing s. 322.032, F.S., relating to digital proof
 35 of driver license or identification card; amending ss.
 36 322.059 and 322.15, F.S.; conforming provisions to
 37 changes made by the act; repealing s. 324.252, F.S.,
 38 relating to electronic insurance verification;
 39 amending s. 330.41, F.S.; prohibiting a political
 40 subdivision from withholding issuance of a business
 41 tax receipt, development permit, or other land use
 42 approval to certain drone delivery services and from
 43 enacting or enforcing ordinances or resolutions that
 44 prohibit drone delivery service operation; revising
 45 construction; providing that the addition of a drone
 46 delivery service within a certain parking area does
 47 not reduce the number of parking spaces in the parking
 48 area for a certain purpose; amending s. 332.001, F.S.;
 49 revising duties of the Department of Transportation
 50 relating to airport systems in this state; amending s.
 51 332.006, F.S.; requiring the department to coordinate
 52 with commercial service airports to review and
 53 evaluate certain federal policies and programs;
 54 amending s. 332.0075, F.S.; requiring commercial
 55 service airports to plan for obtaining and maintaining
 56 critical infrastructure resources; providing
 57 requirements for such plans; defining the term
 58 "critical infrastructure resources"; amending s.

Page 2 of 43

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606-02820-26

20261220c2

59 334.03, F.S.; defining the term "advanced air mobility
60 corridor connection point"; revising the definition of
61 the term "transportation corridor"; amending s.
62 334.044, F.S.; authorizing the department to purchase,
63 lease, or otherwise acquire property and materials for
64 the promotion of transportation-related economic
65 development opportunities and advanced air mobility;
66 deleting the authority of the department to purchase,
67 lease, or otherwise acquire property and materials for
68 the promotion of electric vehicle use and charging
69 stations; authorizing the department to operate and
70 maintain certain research facilities, enter into
71 certain contracts and agreements, require local
72 governments to submit certain applications for federal
73 funding to the department for review and approval
74 before submission to the Federal Government,
75 coordinate with and provide assistance to local
76 governments on the development and review of certain
77 applications, and acquire, own, construct, or operate
78 airports for a specified purpose; authorizing the
79 department to adopt rules; creating s. 334.64, F.S.;
80 providing that the department serves as the primary
81 point of contact for statewide topographic aerial
82 LiDAR procurement and certain cost sharing;
83 authorizing the department to provide certain services
84 to other governmental entities through interagency
85 agreements; authorizing rulemaking; amending s.
86 338.231, F.S.; revising the period through which the
87 department, to the extent possible, is required to

Page 3 of 43

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606-02820-26

20261220c2

88 program sufficient funds in the tentative work program
89 for a specified purpose; requiring the department, to
90 the extent possible, to program sufficient funds in
91 the tentative work program for a specified purpose
92 beginning in a specified fiscal year; amending s.
93 339.81, F.S.; revising construction materials that may
94 be used for certain multiuse trails or shared-use
95 paths; authorizing the department to consider certain
96 sponsorship agreements; amending s. 341.041, F.S.;
97 revising the entities for which the department is
98 required to include in grants and agreements certain
99 provisions; revising such provisions; amending s.
100 790.19, F.S.; providing criminal penalties for
101 shooting at, within, or into, or throwing, hurling, or
102 projecting certain objects at, within, or in, an
103 autonomous vehicle; amending s. 806.13, F.S.;
104 providing criminal penalties for defacing, injuring,
105 or damaging an autonomous vehicle if the value of the
106 damage is in excess of a specified amount; requiring
107 the department to conduct a study to evaluate certain
108 impacts of alternative fuel vehicles and identify
109 certain policy options; requiring that the study
110 identify, evaluate, and analyze certain information;
111 requiring the department to submit a certain report to
112 the Governor and the Legislature by a specified date;
113 providing an appropriation; amending ss. 311.07,
114 316.0777, 316.515, 336.01, 338.222, 341.8225,
115 376.3071, 403.7211, 479.261, 715.07, and 1006.23,
116 F.S.; conforming cross-references; reenacting ss.

Page 4 of 43

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606-02820-26 20261220c2

117 320.02(21), 324.021(1), and 324.022(2)(a), F.S.,
 118 relating to registration requirements, the definition
 119 of the term "motor vehicle," and financial
 120 responsibility for property damage, respectively, to
 121 incorporate the amendment made to s. 316.003, F.S., in
 122 references thereto; providing an effective date.

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

125
 126 Section 1. Paragraph (h) of subsection (4) of section
 127 260.0142, Florida Statutes, is amended to read:

128 260.0142 Florida Greenways and Trails Council; composition;
 129 powers and duties.-

130 (4) The duties of the council include the following:

131 (h) Make recommendations for updating and revising the
 132 implementation plan for the Florida Greenways and Trails System,
 133 including, but not limited to, recommendations for
 134 prioritization of regionally significant trails within the
 135 Florida Shared-Use Nonmotorized Trail Network. The council shall
 136 meet within 90 days after the Department of Transportation
 137 submits its report pursuant to s. 339.81(8) to update its
 138 recommendations for prioritization of regionally significant
 139 trails within the network.

140 Section 2. Paragraph (b) of subsection (2) of section
 141 311.14, Florida Statutes, is amended to read:

142 311.14 Seaport planning.-

143 (2) Each port shall develop a strategic plan with a 10-year
 144 horizon. Each plan must include the following:

145 (b) An infrastructure development and improvement component

606-02820-26 20261220c2

146 that identifies all projected infrastructure improvements within
 147 the plan area which require improvement, expansion, or
 148 development in order for a port to attain a strategic advantage
 149 for competition with national and international competitors.
 150 This component must provide strategies for obtaining and
 151 maintaining critical infrastructure resources for the port and
 152 its tenants. Such strategies must include long-term contracts,
 153 rights of first refusal regarding the sale or lease of property
 154 storing such resources, and contingency plans for obtaining such
 155 resources. For purposes of this paragraph, the term "critical
 156 infrastructure resources," includes, but is not limited to,
 157 access to electricity, fuel, and water resources.

158
 159 To the extent feasible, the port strategic plan must be
 160 consistent with the local government comprehensive plans of the
 161 units of local government in which the port is located. Upon
 162 approval of a plan by the port's board, the plan shall be
 163 submitted to the Florida Seaport Transportation and Economic
 164 Development Council.

165 Section 3. Section 311.26, Florida Statutes, is created to
 166 read:

167 311.26 Florida seaport maritime industrial base.-The
 168 Department of Transportation shall coordinate with the
 169 Department of Commerce, the ports specified in s. 311.09, and
 170 the Federal Government to identify and prioritize key maritime
 171 components in the supply chain which are essential to
 172 strengthening and expanding this state's maritime industrial
 173 base. The ports shall support projects prioritized by the
 174 Department of Transportation which will directly support the

606-02820-26

20261220c2

175 building and construction, maintenance, and modernization of
 176 commercial vessels, including cargo vessels, and vessels
 177 designed for national defense. Projects must be evaluated by
 178 their estimated return on invested capital, job creation, and
 179 contribution to the economic competitiveness and national
 180 security interests of this state and the United States.
 181 Additional consideration must include the anticipated
 182 enhancement of this state's commercial maritime capabilities.

183 Section 4. Subsection (59) of section 316.003, Florida
 184 Statutes, is amended to read:

185 316.003 Definitions.—The following words and phrases, when
 186 used in this chapter, shall have the meanings respectively
 187 ascribed to them in this section, except where the context
 188 otherwise requires:

189 (59) PERSONAL DELIVERY DEVICE.—An electrically powered
 190 device that:

191 (a) Is operated on sidewalks, ~~and~~ crosswalks, bicycle
 192 lanes, or bicycle paths or on the shoulders of streets,
 193 roadways, or highways, not including limited access facilities,
 194 and intended primarily for transporting property;

195 (b) Has a weight that does not exceed the maximum weight
 196 established by Department of Transportation rule;

197 (c) Operates at ~~Has~~ a maximum speed of 10 miles per hour on
 198 sidewalks and crosswalks and 20 miles per hour on bicycle lanes
 199 or bicycle paths or on the shoulders of streets, roadways, or
 200 highways, not including limited access facilities; and

201 (d) Is equipped with technology to allow for operation of
 202 the device with or without the active control or monitoring of a
 203 natural person.

606-02820-26

20261220c2

204
 205 A personal delivery device is not considered a vehicle unless
 206 expressly defined by law as a vehicle. A mobile carrier is not
 207 considered a personal delivery device. The Department of
 208 Transportation may adopt rules to implement this subsection.

209 Section 5. Paragraph (b) of subsection (7) of section
 210 316.008, Florida Statutes, is amended to read:

211 316.008 Powers of local authorities.—

212 (7)

213 (b)1. Except as provided in subparagraph 2., a personal
 214 delivery device may be operated on sidewalks, crosswalks,
 215 bicycle lanes, and bicycle paths and on the shoulders of
 216 streets, roadways, and highways, not including limited access
 217 facilities, and a mobile carrier may be operated on sidewalks
 218 and crosswalks within a county or municipality when such use is
 219 permissible under federal law. This ~~subparagraph~~ ~~paragraph~~ does
 220 not restrict a county or municipality from otherwise adopting
 221 regulations for the safe operation of personal delivery devices
 222 and mobile carriers.

223 2. A personal delivery device may not be operated on the
 224 Florida Shared-Use Nonmotorized Trail Network created under s.
 225 339.81 or components of the Florida Greenways and Trails System
 226 created under chapter 260.

227 3. A county or municipality may not enact, impose, levy,
 228 collect, or enforce:

229 a. An operating fee for personal delivery devices, except
 230 as expressly authorized by state statute; or

231 b. An advertising regulation that restricts, prohibits,
 232 conditions, or otherwise limits commercial advertising on

606-02820-26

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233 personal delivery devices.

234 Section 6. Subsections (1) and (3) of section 316.2071,
235 Florida Statutes, are amended, and subsection (5) is added to
236 that section, to read:

237 316.2071 Personal delivery devices and mobile carriers.—

238 (1) Notwithstanding any other provision of law ~~to the~~
239 ~~contrary~~, a personal delivery device may operate on sidewalks,
240 crosswalks, bicycle lanes, and bicycle paths and on the
241 shoulders of streets, roadways, and highways, not including
242 limited access facilities, and a ~~or~~ mobile carrier may operate
243 on sidewalks and crosswalks, subject to s. 316.008(7)(b). A
244 personal delivery device or mobile carrier operating on a
245 sidewalk or crosswalk has all the rights and duties applicable
246 to a pedestrian under the same circumstances. ~~A, except that the~~
247 personal delivery device or mobile carrier may ~~must~~ not
248 unreasonably interfere with pedestrians, bicycles, or motor
249 vehicles ~~traffic~~ and must yield the right-of-way to pedestrians
250 ~~on the sidewalk or crosswalk.~~

251 (3)(a) A personal delivery device ~~and a mobile carrier~~ may
252 not do any of the following:

253 1. ~~(a)~~ Operate on a sidewalk, crosswalk, bicycle lane, or
254 bicycle path or on the shoulder of a street, roadway, or highway
255 unless the personal delivery device meets minimum criteria
256 established by the Department of Transportation and a human
257 operator is capable of controlling and monitoring the navigation
258 and operation of the personal delivery device ~~public highway~~
259 ~~except to the extent necessary to cross a crosswalk.~~

260 2. Transport hazardous materials as defined in s. 316.003.

261 3. Operate on a limited access facility.

606-02820-26

20261220c2

262 (b) A mobile carrier may not do any of the following:

263 1. Operate on a public highway except to the extent
264 necessary to cross a crosswalk.

265 2. Operate on a sidewalk or crosswalk unless the ~~personal~~
266 ~~delivery device operator is actively controlling or monitoring~~
267 ~~the navigation and operation of the personal delivery device or~~
268 ~~a mobile carrier owner remains within 25 feet of the mobile~~
269 ~~carrier.~~

270 3. ~~(e)~~ Transport hazardous materials as defined in s.
271 316.003.

272 4. ~~(d)~~ For mobile carriers, Transport persons or animals.

273 (5) The Department of Transportation may adopt rules to
274 implement this section.

275 Section 7. Paragraph (b) of subsection (1) of section
276 320.06, Florida Statutes, is amended to read:

277 320.06 Registration certificates, license plates, and
278 validation stickers generally.—

279 (1)

280 (b)1. Registration license plates bearing a graphic symbol
281 and the alphanumeric system of identification shall be issued
282 for a 10-year period. At the end of the 10-year period, upon
283 renewal, the plate shall be replaced. The department shall
284 extend the scheduled license plate replacement date from a 6-
285 year period to a 10-year period. The fee for such replacement is
286 \$28, \$2.80 of which shall be paid each year before the plate is
287 replaced, to be credited toward the next \$28 replacement fee.
288 The fees shall be deposited into the Highway Safety Operating
289 Trust Fund. A credit or refund may not be given for any prior
290 years' payments of the prorated replacement fee if the plate is

606-02820-26

20261220c2

291 replaced or surrendered before the end of the 10-year period,
 292 except that a credit may be given if a registrant is required by
 293 the department to replace a license plate under s.
 294 320.08056(8) (a). With each license plate, a validation sticker
 295 shall be issued showing the owner's birth month, license plate
 296 number, and the year of expiration or the appropriate renewal
 297 period if the owner is not a natural person. The validation
 298 sticker shall be placed on the upper right corner of the license
 299 plate. The license plate and validation sticker shall be issued
 300 based on the applicant's appropriate renewal period. The
 301 registration period is 12 months, the extended registration
 302 period is 24 months, and all expirations occur based on the
 303 applicant's appropriate registration period. Rental vehicles
 304 taxed pursuant to s. 320.08(6) (a) and rental trucks taxed
 305 pursuant to s. 320.08(3) (a)-(c) and (4) (a)-(f) ~~(4) (a)-(d)~~ may
 306 elect a permanent registration period, provided payment of the
 307 appropriate license taxes and fees occurs annually.

308 2. Beginning July 1, 2024, a vehicle registered in
 309 accordance with the International Registration Plan must be
 310 issued a license plate for a 3-year period. At the end of the 3-
 311 year period, upon renewal, the license plate must be replaced.
 312 Each license plate must include a validation sticker showing the
 313 month of expiration. A cab card denoting the declared gross
 314 vehicle weight for each apportioned jurisdiction must be issued
 315 annually. The fee for an original or a renewal cab card is \$28,
 316 which must be deposited into the Highway Safety Operating Trust
 317 Fund. If the license plate is damaged or worn, it may be
 318 replaced at no charge by applying to the department and
 319 surrendering the current license plate.

Page 11 of 43

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606-02820-26

20261220c2

320 3. In order to retain the efficient administration of the
 321 taxes and fees imposed by this chapter, the 80-cent fee increase
 322 in the replacement fee imposed by chapter 2009-71, Laws of
 323 Florida, is negated as provided in s. 320.0804.

324 Section 8. Section 322.032, Florida Statutes, is repealed.
 325 Section 9. Section 322.059, Florida Statutes, is amended to
 326 read:

327 322.059 Mandatory surrender of suspended driver license and
 328 registration.—A person whose driver license or registration has
 329 been suspended as provided in s. 322.058 must immediately return
 330 his or her driver license and registration to the Department of
 331 Highway Safety and Motor Vehicles. ~~The department shall~~
 332 ~~invalidate the digital proof of driver license issued pursuant~~
 333 ~~to s. 322.032 for such person.~~ If such person fails to return
 334 his or her driver license or registration, a law enforcement
 335 agent may seize the license or registration while the driver
 336 license or registration is suspended.

337 Section 10. Subsection (1) of section 322.15, Florida
 338 Statutes, is amended to read:

339 322.15 License to be carried and exhibited on demand;
 340 fingerprint to be imprinted upon a citation.—

341 (1) Every licensee shall have his or her driver license,
 342 which must be fully legible with no portion of such license
 343 faded, altered, mutilated, or defaced, in his or her immediate
 344 possession at all times when operating a motor vehicle and shall
 345 present or submit the same upon the demand of a law enforcement
 346 officer or an authorized representative of the department. ~~A~~
 347 ~~licensee may present or submit a digital proof of driver license~~
 348 ~~as provided in s. 322.032 in lieu of his or her printed driver~~

Page 12 of 43

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606-02820-26

20261220c2

349 ~~license; however, if the law enforcement officer or authorized~~
 350 ~~representative of the department is unable to immediately verify~~
 351 ~~the digital proof of driver license, upon the demand of the law~~
 352 ~~enforcement officer or authorized representative of the~~
 353 ~~department, the licensee must present or submit his or her~~
 354 ~~printed driver license.~~

355 Section 11. Section 324.252, Florida Statutes, is repealed.

356 Section 12. Present paragraph (d) of subsection (3) of
 357 section 330.41, Florida Statutes, is redesignated as paragraph
 358 (e), a new paragraph (d) is added to that subsection, and
 359 paragraph (c) of that subsection is amended, to read:

360 330.41 Unmanned Aircraft Systems Act.—

361 (3) REGULATION.—

362 (c) Except as otherwise expressly provided, a political
 363 subdivision may not withhold issuance of a business tax receipt,
 364 development permit, or other land use approval to a drone
 365 delivery service on a commercial property or enact or enforce an
 366 ordinance or a resolution that prohibits a drone delivery
 367 service's operation based on the location of its drone port,
 368 notwithstanding part II of chapter 163 and chapter 205. A
 369 political subdivision may enforce minimum setback and
 370 landscaping regulations that are generally applicable to
 371 permitted uses in the applicable drone port site's zoning
 372 district. This paragraph may not be construed to authorize a
 373 political subdivision to require additional landscaping as a
 374 condition of approval of a drone delivery service on a
 375 commercial property port.

376 (d) The addition of a drone delivery service within the
 377 parking area of a commercial property does not reduce the number

606-02820-26

20261220c2

378 of parking spaces in the parking area for the purpose of
 379 complying with any requirement for a minimum number of parking
 380 spaces.

381 Section 13. Subsection (1) of section 332.001, Florida
 382 Statutes, is amended to read:

383 332.001 Aviation; powers and duties of the Department of
 384 Transportation.—

385 (1) It shall be the duty, function, and responsibility of
 386 the Department of Transportation to plan and direct investments
 387 in airport systems in this state to facilitate the efficient
 388 movement of passengers and cargo and to continuously improve the
 389 experience for the flying public and the supply chain of this
 390 state's businesses. In carrying out this duty and
 391 responsibility, the department may assist and advise, cooperate,
 392 and coordinate with the federal, state, local, or private
 393 organizations and individuals in planning such systems of
 394 airports.

395 Section 14. Subsection (10) is added to section 332.006,
 396 Florida Statutes, to read:

397 332.006 Duties and responsibilities of the Department of
 398 Transportation.—The Department of Transportation shall, within
 399 the resources provided to the department:

400 (10) Coordinate with commercial service airports in this
 401 state to review and evaluate policies and programs of the United
 402 States Transportation Security Administration, including, but
 403 not limited to, security screening programs and programs for
 404 veterans and active duty servicemembers and their families, to
 405 improve efficiency in the security screening process and the
 406 overall experience of the flying public.

606-02820-26

20261220c2

407 Section 15. Present subsections (4), (5), and (6) of
 408 section 332.0075, Florida Statutes, are redesignated as
 409 subsections (5), (6), and (7), respectively, and a new
 410 subsection (4) is added to that section, to read:

411 332.0075 Commercial service airports; transparency and
 412 accountability; penalty.—

413 (4) Notwithstanding any other provision of law, a
 414 commercial service airport must plan for obtaining and
 415 maintaining critical infrastructure resources for the airport,
 416 its tenants, and the traveling public. Such plans must include
 417 long-term contracts and rights of first refusal regarding the
 418 sale of and contingency plans for such resources. For purposes
 419 of this paragraph, the term "critical infrastructure resources"
 420 includes, but is not limited to, access to electricity, fuel,
 421 and water resources.

422 Section 16. Present subsections (1) through (37) of section
 423 334.03, Florida Statutes, are redesignated as subsections (2)
 424 through (38), respectively, a new subsection (1) is added to
 425 that section, and present subsection (29) of that section is
 426 amended, to read:

427 334.03 Definitions.—When used in the Florida Transportation
 428 Code, the term:

429 (1) "Advanced air mobility corridor connection point" means
 430 any land area or transportation facility, including any
 431 airspace, designated by the department as suitable to support
 432 the efficient movement of people and goods by use as a
 433 connection point for advanced air mobility.

434 ~~(30)(29)~~ "Transportation corridor" means any advanced air
 435 mobility corridor connection point or any land area designated

606-02820-26

20261220c2

436 by the state, a county, or a municipality which is between two
 437 geographic points and which area is used or suitable for the
 438 movement of people and goods by one or more modes of
 439 transportation, including areas necessary for management of
 440 access and securing applicable approvals and permits.
 441 Transportation corridors, other than advanced air mobility
 442 corridor connection points, shall contain, but are not limited
 443 to, the following:

- 444 (a) Existing publicly owned rights-of-way;
 445 (b) All property or property interests necessary for future
 446 transportation facilities, including rights of access, air,
 447 view, and light, whether public or private, for the purpose of
 448 securing and utilizing future transportation rights-of-way,
 449 including, but not limited to, any lands reasonably necessary
 450 now or in the future for securing applicable approvals and
 451 permits, borrow pits, drainage ditches, water retention areas,
 452 rest areas, replacement access for landowners whose access could
 453 be impaired due to the construction of a future facility, and
 454 replacement rights-of-way for relocation of rail and utility
 455 facilities.

456 Section 17. Subsections (5), (20), and (21) of section
 457 334.044, Florida Statutes, are amended, and subsections (40),
 458 (41), and (42) are added to that section, to read:

459 334.044 Powers and duties of the department.—The department
 460 shall have the following general powers and duties:

- 461 (5) To purchase, lease, or otherwise acquire property and
 462 materials, including the purchase of promotional items as part
 463 of public information and education campaigns for the promotion
 464 of environmental management, scenic highways, traffic and train

606-02820-26 20261220c2

465 safety awareness, commercial motor vehicle safety, workforce
 466 development, transportation-related economic development
 467 opportunities, advanced air mobility electric vehicle use and
 468 ~~charging stations~~, autonomous vehicles, and context
 469 classification for electric vehicles and autonomous vehicles; to
 470 purchase, lease, or otherwise acquire equipment and supplies;
 471 and to sell, exchange, or otherwise dispose of any property that
 472 is no longer needed by the department.

473 (20) To operate and maintain designated research
 474 facilities, to conduct and enter into contracts and agreements
 475 for conducting research studies, and to collect data necessary
 476 for the improvement of the state transportation system.

477 (21) To conduct and enter into contracts and agreements for
 478 conducting research and demonstration projects relative to
 479 innovative transportation technologies.

480 (40) To require local governments to submit applications
 481 for federal funding for projects on state-owned rights-of-way,
 482 roads, bridges, and limited access facilities to the department
 483 for review and approval before submission of such applications
 484 to the Federal Government.

485 (41) To coordinate with and provide assistance to local
 486 governments on the development and review of applications for
 487 federal transportation funding to ensure that each project
 488 receiving federal funds is consistent with the department's
 489 mission, goals, and objectives as provided in s. 334.046.

490 (42) Notwithstanding any other law, to acquire, own,
 491 construct, or operate, or any combination thereof, one or more
 492 airports as defined in s. 330.27 for the purpose of supporting
 493 advanced air mobility. The department may adopt rules to

606-02820-26 20261220c2

494 implement this subsection.

495 Section 18. Section 334.64, Florida Statutes, is created to
 496 read:

497 334.64 Department to serve as primary point of contact for
 498 LiDAR procurement.—Notwithstanding s. 20.255(9), the department
 499 shall serve as the primary point of contact for statewide
 500 topographic aerial LiDAR procurement and cost sharing related to
 501 statewide geographic information systems and geospatial data
 502 sharing. The department may provide these services to other
 503 state and local governmental entities by entering into an
 504 interagency agreement consistent with chapter 216.
 505 Notwithstanding any other provision of law, including any
 506 charter, ordinance, statute, or special law, all state agencies
 507 and local governmental entities conducting programs or
 508 exercising powers relating to topographic aerial LiDAR mapping
 509 are authorized to enter into an interagency agreement with the
 510 department for the provision by the department of topographic
 511 aerial LiDAR procurement and cost-sharing services, and to
 512 delegate such authority to conduct programs or exercise powers
 513 relating to topographic aerial LiDAR procurement and cost-
 514 sharing services to the department pursuant to such interagency
 515 agreements. The department may adopt rules to implement this
 516 section.

517 Section 19. Present paragraphs (b) and (c) of subsection
 518 (3) of section 338.231, Florida Statutes, are redesignated as
 519 paragraphs (c) and (d), respectively, a new paragraph (b) is
 520 added to that subsection, and paragraph (a) of that subsection
 521 is amended, to read:

522 338.231 Turnpike tolls, fixing; pledge of tolls and other

606-02820-26

20261220c2

523 revenues.—The department shall at all times fix, adjust, charge,
 524 and collect such tolls and amounts for the use of the turnpike
 525 system as are required in order to provide a fund sufficient
 526 with other revenues of the turnpike system to pay the cost of
 527 maintaining, improving, repairing, and operating such turnpike
 528 system; to pay the principal of and interest on all bonds issued
 529 to finance or refinance any portion of the turnpike system as
 530 the same become due and payable; and to create reserves for all
 531 such purposes.

532 (3) (a) 1. For the period July 1, 1998, through June 30, 2029
 533 2027, the department shall, to the maximum extent feasible,
 534 program sufficient funds in the tentative work program such that
 535 the percentage of turnpike toll and bond financed commitments in
 536 Miami-Dade County, Broward County, and Palm Beach County as
 537 compared to total turnpike toll and bond financed commitments
 538 shall be at least 90 percent of the share of net toll
 539 collections attributable to users of the turnpike system in
 540 Miami-Dade County, Broward County, and Palm Beach County as
 541 compared to total net toll collections attributable to users of
 542 the turnpike system.

543 2. Beginning in the 2029-2030 fiscal year, the department
 544 shall, to the maximum extent feasible, program sufficient funds
 545 in the tentative work program such that 100 percent of the share
 546 of net toll collections attributable to users of the turnpike
 547 system in Miami-Dade County, Broward County, and Palm Beach
 548 County is used for turnpike toll and bond financed commitments
 549 in those counties.

550 This paragraph ~~subsection~~ does not apply when the application of
 551

Page 19 of 43

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606-02820-26

20261220c2

552 such requirements would violate any covenant established in a
 553 resolution or trust indenture relating to the issuance of
 554 turnpike bonds.

555 (b) The department may at any time for economic
 556 considerations establish lower temporary toll rates for a new or
 557 existing toll facility for a period not to exceed 1 year, after
 558 which the toll rates adopted pursuant to s. 120.54 shall become
 559 effective.

560 Section 20. Paragraph (b) of subsection (2) and paragraph
 561 (d) of subsection (5) of section 339.81, Florida Statutes, are
 562 amended to read:

563 339.81 Florida Shared-Use Nonmotorized Trail Network.—

564 (2)

565 (b) The multiuse trails or shared-use paths of the
 566 statewide network must be physically separated from motor
 567 vehicle traffic and constructed with asphalt, concrete, or
 568 another improved hard surface approved by the department.

569 (5)

570 (d) To the greatest extent practicable, the department
 571 shall program projects in the work program to plan for
 572 development of the entire trail and to minimize the creation of
 573 gaps between trail segments. The department shall, at a minimum,
 574 ensure that local support exists for projects and trail
 575 segments, including the availability or dedication of local
 576 funding sources and of contributions by private landowners who
 577 agree to make their land, or property interests in such land,
 578 available for public use as a trail. The department may also
 579 consider any sponsorship agreement entered into pursuant to
 580 subsection (7).

Page 20 of 43

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606-02820-26

20261220c2

581 Section 21. Subsection (16) of section 341.041, Florida
582 Statutes, is amended to read:

583 341.041 Transit responsibilities of the department.—The
584 department shall, within the resources provided pursuant to
585 chapter 216:

586 (16) Unless otherwise provided by state or federal law,
587 ensure that all grants and agreements between the department and
588 entities providing paratransit services to persons with
589 disabilities include, at a minimum, the following provisions:

590 (a) Performance requirements for the delivery of services,
591 including clear penalties for repeated or continuing violations;

592 (b) Minimum liability insurance requirements for all
593 transportation services purchased, provided, or coordinated for
594 the transportation disadvantaged, as defined in s. 427.011(1),
595 through the contracted vendor or subcontractor thereof;

596 (c) Complaint and grievance processes for users of
597 paratransit services for persons with disabilities users,
598 including a requirement that all reported complaints,
599 grievances, and resolutions be reported to the department on a
600 quarterly basis; and

601 (d) A requirement that the provisions of paragraphs (a),
602 (b), and (c) must be included in any agreement between an entity
603 receiving a grant or an agreement from the department and such
604 entity's contractors or subcontractors that provide paratransit
605 services for persons with disabilities.

606 Section 22. Section 790.19, Florida Statutes, is amended to
607 read:

608 790.19 Shooting into or throwing deadly missiles into
609 dwellings, public or private buildings, occupied or not

Page 21 of 43

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606-02820-26

20261220c2

610 occupied; vessels, aircraft, buses, railroad cars, streetcars,
611 or other vehicles.—~~A person who~~ ~~Whoever~~, wantonly or
612 maliciously, shoots at, within, or into, or throws ~~a~~ ~~any~~ missile
613 or hurls or projects a stone or other hard substance which would
614 produce death or great bodily harm, at, within, or in ~~a~~ ~~any~~
615 public or private building, occupied or unoccupied; ~~a~~, ~~or~~ public
616 or private bus or ~~a~~ ~~any~~ train, locomotive, railway car, caboose,
617 cable railway car, street railway car, monorail car, or vehicle
618 of any kind which is being used or occupied by ~~a~~ ~~any~~ person; an
619 autonomous vehicle, occupied or unoccupied; a, ~~or~~ ~~any~~ boat,
620 vessel, ship, or barge lying in or plying the waters of this
621 state; ~~7~~ or an aircraft flying through the airspace of this state
622 commits shall be guilty of a felony of the second degree,
623 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

624 Section 23. Present subsections (8) through (12) of section
625 806.13, Florida Statutes, are redesignated as subsections (9)
626 through (13), respectively, a new subsection (8) is added to
627 that section, and present subsection (11) of that section is
628 amended, to read:

629 806.13 Criminal mischief; penalties; penalty for minor.—

630 (8) A person who willfully or maliciously defaces, injures,
631 or damages by any means an autonomous vehicle as defined in s.
632 316.003(3) (a) commits a felony of the third degree, punishable
633 as provided in s. 775.082, s. 775.083, or s. 775.084, if the
634 damage to the vehicle is greater than \$200.

635 (12)(11) A minor whose driver license or driving privilege
636 is revoked, suspended, or withheld under subsection (11) ~~(10)~~
637 may elect to reduce the period of revocation, suspension, or
638 withholding by performing community service at the rate of 1 day

Page 22 of 43

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606-02820-26 20261220c2

639 for each hour of community service performed. In addition, if
 640 the court determines that due to a family hardship, the minor's
 641 driver license or driving privilege is necessary for employment
 642 or medical purposes of the minor or a member of the minor's
 643 family, the court shall order the minor to perform community
 644 service and reduce the period of revocation, suspension, or
 645 withholding at the rate of 1 day for each hour of community
 646 service performed. As used in this subsection, the term
 647 "community service" means cleaning graffiti from public
 648 property.

649 Section 24. The Department of Transportation shall conduct
 650 a study to evaluate the long-term impact of alternative fuel
 651 vehicles on state transportation revenues and identify potential
 652 policy options to address projected revenue reductions.

653 (1) The study must:

654 (a) Identify the projected impact of specific alternative
 655 fuel vehicle types and the corresponding projected impact on
 656 state transportation revenues.

657 (b) Evaluate new transportation revenue models, including,
 658 but not limited to, alternative fuel vehicle-specific
 659 registration fees and taxes; technological and industry
 660 partnerships that could facilitate fees based on miles-per-
 661 gallon usage equivalences; and revenue models that are based on
 662 vehicle miles-based taxes.

663 (c) Analyze the advantages, disadvantages, and projected
 664 revenue impacts from each transportation revenue model.

665 (2) By January 1, 2027, the department shall submit a
 666 report to the Governor, the President of the Senate, and the
 667 Speaker of the House of Representatives providing the results of

Page 23 of 43

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606-02820-26 20261220c2

668 the study.

669 Section 25. For the 2026-2027 fiscal year, the sum of
 670 \$300,000 in nonrecurring funds is appropriated from the State
 671 Transportation Trust Fund to the Department of Transportation
 672 for the purpose of studying alternative fuel vehicles and
 673 methods to receive transportation revenues from users of such
 674 vehicles.

675 Section 26. Paragraph (b) of subsection (3) of section
 676 311.07, Florida Statutes, is amended to read:

677 311.07 Florida seaport transportation and economic
 678 development funding.—

679 (3)

680 (b) Projects eligible for funding by grants under the
 681 program are limited to the following port facilities or port
 682 transportation projects:

683 1. Transportation facilities within the jurisdiction of the
 684 port.

685 2. The dredging or deepening of channels, turning basins,
 686 or harbors.

687 3. The construction or rehabilitation of wharves, docks,
 688 structures, jetties, piers, storage facilities, cruise
 689 terminals, automated people mover systems, or any facilities
 690 necessary or useful in connection with any of the foregoing.

691 4. The acquisition of vessel tracking systems, container
 692 cranes, or other mechanized equipment used in the movement of
 693 cargo or passengers in international commerce.

694 5. The acquisition of land to be used for port purposes.

695 6. The acquisition, improvement, enlargement, or extension
 696 of existing port facilities.

Page 24 of 43

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606-02820-26

20261220c2

697 7. Environmental protection projects which are necessary
698 because of requirements imposed by a state agency as a condition
699 of a permit or other form of state approval; which are necessary
700 for environmental mitigation required as a condition of a state,
701 federal, or local environmental permit; which are necessary for
702 the acquisition of spoil disposal sites and improvements to
703 existing and future spoil sites; or which result from the
704 funding of eligible projects listed in this paragraph.

705 8. Transportation facilities as defined in s. 334.03 ~~s.~~
706 ~~334.03(30)~~ which are not otherwise part of the Department of
707 Transportation's adopted work program.

708 9. Intermodal access projects.

709 10. Construction or rehabilitation of port facilities as
710 defined in s. 315.02, excluding any park or recreational
711 facilities, in ports listed in s. 311.09(1) with operating
712 revenues of \$5 million or less, provided that such projects
713 create economic development opportunities, capital improvements,
714 and positive financial returns to such ports.

715 11. Seaport master plan or strategic plan development or
716 updates, including the purchase of data to support such plans.

717 12. Spaceport or space industry-related planning or
718 construction of facilities on seaport property which are
719 necessary or useful for advancing the space industry in this
720 state and provide an economic benefit to this state.

721 13. Commercial shipbuilding and manufacturing facilities on
722 seaport property, if such projects provide an economic benefit
723 to the community in which the seaport is located.

724 Section 27. Paragraph (b) of subsection (2) of section
725 316.0777, Florida Statutes, is amended to read:

Page 25 of 43

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606-02820-26

20261220c2

726 316.0777 Automated license plate recognition systems;
727 installation within rights-of-way of State Highway System;
728 public records exemption.-

729 (2)

730 (b) At the discretion of the Department of Transportation,
731 an automated license plate recognition system may be installed
732 within the right-of-way, as defined in s. 334.03 ~~s. 334.03(21)~~,
733 of a road on the State Highway System when installed at the
734 request of a law enforcement agency for the purpose of
735 collecting active criminal intelligence information or active
736 criminal investigative information as defined in s. 119.011(3).
737 An automated license plate recognition system may not be used to
738 issue a notice of violation for a traffic infraction or a
739 uniform traffic citation. Such installation must be in
740 accordance with placement and installation guidelines developed
741 by the Department of Transportation. An automated license plate
742 recognition system must be removed within 30 days after the
743 Department of Transportation notifies the requesting law
744 enforcement agency that such removal must occur.

745 Section 28. Paragraph (c) of subsection (5) of section
746 316.515, Florida Statutes, is amended to read:

747 316.515 Maximum width, height, length.-

748 (5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;
749 AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.-

750 (c) The width and height limitations of this section do not
751 apply to farming or agricultural equipment, whether self-
752 propelled, pulled, or hauled, when temporarily operated during
753 daylight hours upon a public road that is not a limited access
754 facility as defined in s. 334.03 ~~s. 334.03(12)~~, and the width

Page 26 of 43

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606-02820-26

20261220c2

755 and height limitations may be exceeded by such equipment without
 756 a permit. To be eligible for this exemption, the equipment shall
 757 be operated within a radius of 50 miles of the real property
 758 owned, rented, managed, harvested, or leased by the equipment
 759 owner. However, equipment being delivered by a dealer to a
 760 purchaser is not subject to the 50-mile limitation. Farming or
 761 agricultural equipment greater than 174 inches in width must
 762 have one warning lamp mounted on each side of the equipment to
 763 denote the width and must have a slow-moving vehicle sign.
 764 Warning lamps required by this paragraph must be visible from
 765 the front and rear of the vehicle and must be visible from a
 766 distance of at least 1,000 feet.

767 Section 29. Section 336.01, Florida Statutes, is amended to
 768 read:

769 336.01 Designation of county road system.—The county road
 770 system shall be as defined in s. 334.03 ~~s. 334.03(8)~~.

771 Section 30. Subsection (2) of section 338.222, Florida
 772 Statutes, is amended to read:

773 338.222 Department of Transportation sole governmental
 774 entity to acquire, construct, or operate turnpike projects;
 775 exception.—

776 (2) The department may, but is not required to, contract
 777 with any local governmental entity as defined in s. 334.03 ~~s.~~
 778 ~~334.03(13)~~ for the design, right-of-way acquisition, transfer,
 779 purchase, sale, acquisition, or other conveyance of the
 780 ownership, operation, maintenance, or construction of any
 781 turnpike project which the Legislature has approved. Local
 782 governmental entities may negotiate and contract with the
 783 department for the design, right-of-way acquisition, transfer,

Page 27 of 43

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606-02820-26

20261220c2

784 purchase, sale, acquisition, or other conveyance of the
 785 ownership, operation, maintenance, or construction of any
 786 section of the turnpike project within areas of their respective
 787 jurisdictions or within counties with which they have interlocal
 788 agreements.

789 Section 31. Subsection (2) of section 341.8225, Florida
 790 Statutes, is amended to read:

791 341.8225 Department of Transportation sole governmental
 792 entity to acquire, construct, or operate high-speed rail
 793 projects; exception.—

794 (2) Local governmental entities, as defined in s. 334.03 ~~s.~~
 795 ~~334.03(13)~~, may negotiate with the department for the design,
 796 right-of-way acquisition, and construction of any component of
 797 the high-speed rail system within areas of their respective
 798 jurisdictions or within counties with which they have interlocal
 799 agreements.

800 Section 32. Paragraph (b) of subsection (12) of section
 801 376.3071, Florida Statutes, is amended to read:

802 376.3071 Inland Protection Trust Fund; creation; purposes;
 803 funding.—

804 (12) SITE CLEANUP.—

805 (b) *Low-scored site initiative*.—Notwithstanding subsections
 806 (5) and (6), a site with a priority ranking score of 29 points
 807 or less may voluntarily participate in the low-scored site
 808 initiative regardless of whether the site is eligible for state
 809 restoration funding.

810 1. To participate in the low-scored site initiative, the
 811 property owner, or a responsible party who provides evidence of
 812 authorization from the property owner, must submit a "No Further

Page 28 of 43

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606-02820-26

20261220c2

813 Action" proposal and affirmatively demonstrate that the
814 conditions imposed under subparagraph 4. are met.

815 2. Upon affirmative demonstration that the conditions
816 imposed under subparagraph 4. are met, the department shall
817 issue a site rehabilitation completion order incorporating the
818 "No Further Action" proposal submitted by the property owner or
819 the responsible party, who must provide evidence of
820 authorization from the property owner. If no contamination is
821 detected, the department may issue a site rehabilitation
822 completion order.

823 3. Sites that are eligible for state restoration funding
824 may receive payment of costs for the low-scored site initiative
825 as follows:

826 a. A property owner, or a responsible party who provides
827 evidence of authorization from the property owner, may submit an
828 assessment and limited remediation plan designed to
829 affirmatively demonstrate that the site meets the conditions
830 imposed under subparagraph 4. Notwithstanding the priority
831 ranking score of the site, the department may approve the cost
832 of the assessment and limited remediation, including up to 12
833 months of groundwater monitoring and 12 months of limited
834 remediation activities in one or more task assignments or
835 modifications thereof, not to exceed the threshold amount
836 provided in s. 287.017 for CATEGORY TWO, for each site where the
837 department has determined that the assessment and limited
838 remediation, if applicable, will likely result in a
839 determination of "No Further Action." The department may not pay
840 the costs associated with the establishment of institutional or
841 engineering controls other than the costs associated with a

606-02820-26

20261220c2

842 professional land survey or a specific purpose survey, if such
843 is needed, and the costs associated with obtaining a title
844 report and paying recording fees.

845 b. After the approval of initial site assessment results
846 provided pursuant to state funding under sub-subparagraph a.,
847 the department may approve an additional amount not to exceed
848 the threshold amount provided in s. 287.017 for CATEGORY TWO for
849 limited remediation needed to achieve a determination of "No
850 Further Action."

851 c. The assessment and limited remediation work shall be
852 completed no later than 15 months after the department
853 authorizes the start of a state-funded, low-score site
854 initiative task. If groundwater monitoring is required after the
855 assessment and limited remediation in order to satisfy the
856 conditions under subparagraph 4., the department may authorize
857 an additional 12 months to complete the monitoring.

858 d. No more than \$15 million for the low-scored site
859 initiative may be encumbered from the fund in any fiscal year.
860 Funds shall be made available on a first-come, first-served
861 basis and shall be limited to 10 sites in each fiscal year for
862 each property owner or each responsible party who provides
863 evidence of authorization from the property owner.

864 e. Program deductibles, copayments, and the limited
865 contamination assessment report requirements under paragraph
866 (13)(d) do not apply to expenditures under this paragraph.

867 4. The department shall issue an order incorporating the
868 "No Further Action" proposal submitted by a property owner or a
869 responsible party who provides evidence of authorization from
870 the property owner upon affirmative demonstration that all of

606-02820-26

20261220c2

871 the following conditions are met:

872 a. Soil saturated with petroleum or petroleum products, or
873 soil that causes a total corrected hydrocarbon measurement of
874 500 parts per million or higher for the Gasoline Analytical
875 Group or 50 parts per million or higher for the Kerosene
876 Analytical Group, as defined by department rule, does not exist
877 onsite as a result of a release of petroleum products.

878 b. A minimum of 12 months of groundwater monitoring
879 indicates that the plume is shrinking or stable.

880 c. The release of petroleum products at the site does not
881 adversely affect adjacent surface waters, including their
882 effects on human health and the environment.

883 d. The area containing the petroleum products' chemicals of
884 concern:

885 (I) Is confined to the source property boundaries of the
886 real property on which the discharge originated, unless the
887 property owner has requested or authorized a more limited area
888 in the "No Further Action" proposal submitted under this
889 subsection; or

890 (II) Has migrated from the source property onto or beneath
891 a transportation facility as defined in s. 334.03 ~~s. 334.03(30)~~
892 for which the department has approved, and the governmental
893 entity owning the transportation facility has agreed to
894 institutional controls as defined in s. 376.301(21). This sub-
895 sub-subparagraph does not, however, impose any legal liability
896 on the transportation facility owner, obligate such owner to
897 engage in remediation, or waive such owner's right to recover
898 costs for damages.

899 e. The groundwater contamination containing the petroleum

Page 31 of 43

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606-02820-26

20261220c2

900 products' chemicals of concern is not a threat to any permitted
901 potable water supply well.

902 f. Soils onsite found between land surface and 2 feet below
903 land surface which are subject to human exposure meet the soil
904 cleanup target levels established in subparagraph (5)(b)9., or
905 human exposure is limited by appropriate institutional or
906 engineering controls.

907 Issuance of a site rehabilitation completion order under this
908 paragraph acknowledges that minimal contamination exists onsite
909 and that such contamination is not a threat to the public
910 health, safety, or welfare; water resources; or the environment.
911 Pursuant to subsection (4), the issuance of the site
912 rehabilitation completion order, with or without conditions,
913 does not alter eligibility for state-funded rehabilitation that
914 would otherwise be applicable under this section.

915 Section 33. Paragraph (a) of subsection (2) of section
916 403.7211, Florida Statutes, is amended to read:

917 403.7211 Hazardous waste facilities managing hazardous
918 wastes generated offsite; federal facilities managing hazardous
919 waste.-

920 (2) The department may not issue any permit under s.
921 403.722 for the construction, initial operation, or substantial
922 modification of a facility for the disposal, storage, or
923 treatment of hazardous waste generated offsite which is proposed
924 to be located in any of the following locations:

925 (a) Any area where life-threatening concentrations of
926 hazardous substances could accumulate at any residence or
927 residential subdivision as the result of a catastrophic event at
928

Page 32 of 43

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606-02820-26

20261220c2

929 the proposed facility, unless each such residence or residential
 930 subdivision is served by at least one arterial road or urban
 931 minor arterial road, as determined under the procedures
 932 referenced in s. 334.03 ~~s. 334.03(10)~~, which provides safe and
 933 direct egress by land to an area where such life-threatening
 934 concentrations of hazardous substances could not accumulate in a
 935 catastrophic event. Egress by any road leading from any
 936 residence or residential subdivision to any point located within
 937 1,000 yards of the proposed facility is unsafe for the purposes
 938 of this paragraph. In determining whether egress proposed by the
 939 applicant is safe and direct, the department shall also
 940 consider, at a minimum, the following factors:

- 941 1. Natural barriers such as water bodies, and whether any
 942 road in the proposed evacuation route is impaired by a natural
 943 barrier such as a water body.
- 944 2. Potential exposure during egress and potential increases
 945 in the duration of exposure.
- 946 3. Whether any road in a proposed evacuation route passes
 947 in close proximity to the facility.
- 948 4. Whether any portion of the evacuation route is
 949 inherently directed toward the facility.

950
 951 For the purposes of this subsection, all distances shall be
 952 measured from the outer limit of the active hazardous waste
 953 management area. "Substantial modification" includes: any
 954 physical change in, change in the operations of, or addition to
 955 a facility which could increase the potential offsite impact, or
 956 risk of impact, from a release at that facility; and any change
 957 in permit conditions which is reasonably expected to lead to

606-02820-26

20261220c2

958 greater potential impacts or risks of impacts, from a release at
 959 that facility. "Substantial modification" does not include a
 960 change in operations, structures, or permit conditions which
 961 does not substantially increase either the potential impact
 962 from, or the risk of, a release. Physical or operational changes
 963 to a facility related solely to the management of nonhazardous
 964 waste at the facility is not considered a substantial
 965 modification. The department shall, by rule, adopt criteria to
 966 determine whether a facility has been substantially modified.
 967 "Initial operation" means the initial commencement of operations
 968 at the facility.

969 Section 34. Subsection (5) of section 479.261, Florida
 970 Statutes, is amended to read:

971 479.261 Logo sign program.—

972 (5) At a minimum, permit fees for businesses that
 973 participate in the program must be established in an amount
 974 sufficient to offset the total cost to the department for the
 975 program, including contract costs. The department shall provide
 976 the services in the most efficient and cost-effective manner
 977 through department staff or by contracting for some or all of
 978 the services. The department shall adopt rules that set
 979 reasonable rates based upon factors such as population, traffic
 980 volume, market demand, and costs for annual permit fees.
 981 However, annual permit fees for sign locations inside an urban
 982 area, as defined in s. 334.03 ~~s. 334.03(31)~~, may not exceed
 983 \$3,500, and annual permit fees for sign locations outside an
 984 urban area, as defined in s. 334.03 ~~s. 334.03(31)~~, may not
 985 exceed \$2,000. After recovering program costs, the proceeds from
 986 the annual permit fees shall be deposited into the State

606-02820-26 20261220c2

987 Transportation Trust Fund and used for transportation purposes.
 988 Section 35. Paragraph (a) of subsection (2) of section
 989 715.07, Florida Statutes, is amended to read:
 990 715.07 Vehicles or vessels parked on private property;
 991 towing.—
 992 (2) The owner or lessee of real property, or any person
 993 authorized by the owner or lessee, which person may be the
 994 designated representative of the condominium association if the
 995 real property is a condominium, may cause any vehicle or vessel
 996 parked on such property without her or his permission to be
 997 removed by a person regularly engaged in the business of towing
 998 vehicles or vessels, without liability for the costs of removal,
 999 transportation, or storage or damages caused by such removal,
 1000 transportation, or storage, under any of the following
 1001 circumstances:
 1002 (a) The towing or removal of any vehicle or vessel from
 1003 private property without the consent of the registered owner or
 1004 other legally authorized person in control of that vehicle or
 1005 vessel is subject to substantial compliance with the following
 1006 conditions and restrictions:
 1007 1.a. Any towed or removed vehicle or vessel must be stored
 1008 at a site within a 10-mile radius of the point of removal in any
 1009 county of 500,000 population or more, and within a 15-mile
 1010 radius of the point of removal in any county of fewer than
 1011 500,000 population. That site must be open for the purpose of
 1012 redemption of vehicles on any day that the person or firm towing
 1013 such vehicle or vessel is open for towing purposes, from 8:00
 1014 a.m. to 6:00 p.m., and, when closed, shall have prominently
 1015 posted a sign indicating a telephone number where the operator

Page 35 of 43

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606-02820-26 20261220c2

1016 of the site can be reached at all times. Upon receipt of a
 1017 telephoned request to open the site to redeem a vehicle or
 1018 vessel, the operator shall return to the site within 1 hour or
 1019 she or he will be in violation of this section.
 1020 b. If no towing business providing such service is located
 1021 within the area of towing limitations set forth in sub-
 1022 subparagraph a., the following limitations apply: any towed or
 1023 removed vehicle or vessel must be stored at a site within a 20-
 1024 mile radius of the point of removal in any county of 500,000
 1025 population or more, and within a 30-mile radius of the point of
 1026 removal in any county of fewer than 500,000 population.
 1027 2. The person or firm towing or removing the vehicle or
 1028 vessel shall, within 30 minutes after completion of such towing
 1029 or removal, notify the municipal police department or, in an
 1030 unincorporated area, the sheriff, of such towing or removal, the
 1031 storage site, the time the vehicle or vessel was towed or
 1032 removed, and the make, model, color, and license plate number of
 1033 the vehicle or description and registration number of the vessel
 1034 and shall obtain the name of the person at that department to
 1035 whom such information was reported and note that name on the
 1036 trip record.
 1037 3. A person in the process of towing or removing a vehicle
 1038 or vessel from the premises or parking lot in which the vehicle
 1039 or vessel is not lawfully parked must stop when a person seeks
 1040 the return of the vehicle or vessel. The vehicle or vessel must
 1041 be returned upon the payment of a reasonable service fee of not
 1042 more than one-half of the posted rate for the towing or removal
 1043 service as provided in subparagraph 6. The vehicle or vessel may
 1044 be towed or removed if, after a reasonable opportunity, the

Page 36 of 43

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606-02820-26

20261220c2

1045 owner or legally authorized person in control of the vehicle or
 1046 vessel is unable to pay the service fee. If the vehicle or
 1047 vessel is redeemed, a detailed signed receipt must be given to
 1048 the person redeeming the vehicle or vessel.

1049 4. A person may not pay or accept money or other valuable
 1050 consideration for the privilege of towing or removing vehicles
 1051 or vessels from a particular location.

1052 5. Except for property appurtenant to and obviously a part
 1053 of a single-family residence, and except for instances when
 1054 notice is personally given to the owner or other legally
 1055 authorized person in control of the vehicle or vessel that the
 1056 area in which that vehicle or vessel is parked is reserved or
 1057 otherwise unavailable for unauthorized vehicles or vessels and
 1058 that the vehicle or vessel is subject to being removed at the
 1059 owner's or operator's expense, any property owner or lessee, or
 1060 person authorized by the property owner or lessee, before towing
 1061 or removing any vehicle or vessel from private property without
 1062 the consent of the owner or other legally authorized person in
 1063 control of that vehicle or vessel, must post a notice meeting
 1064 the following requirements:

1065 a. The notice must be prominently placed at each driveway
 1066 access or curb cut allowing vehicular access to the property
 1067 within 10 feet from the road, as defined in s. 334.03 ~~s.~~
 1068 ~~334.03(22)~~. If there are no curbs or access barriers, the signs
 1069 must be posted not fewer than one sign for each 25 feet of lot
 1070 frontage.

1071 b. The notice must clearly indicate, in not fewer than 2-
 1072 inch high, light-reflective letters on a contrasting background,
 1073 that unauthorized vehicles will be towed away at the owner's

606-02820-26

20261220c2

1074 expense. The words "tow-away zone" must be included on the sign
 1075 in not fewer than 4-inch high letters.

1076 c. The notice must also provide the name and current
 1077 telephone number of the person or firm towing or removing the
 1078 vehicles or vessels.

1079 d. The sign structure containing the required notices must
 1080 be permanently installed with the words "tow-away zone" not
 1081 fewer than 3 feet and not more than 6 feet above ground level
 1082 and must be continuously maintained on the property for not
 1083 fewer than 24 hours before the towing or removal of any vehicles
 1084 or vessels.

1085 e. The local government may require permitting and
 1086 inspection of these signs before any towing or removal of
 1087 vehicles or vessels being authorized.

1088 f. A business with 20 or fewer parking spaces satisfies the
 1089 notice requirements of this subparagraph by prominently
 1090 displaying a sign stating "Reserved Parking for Customers Only
 1091 Unauthorized Vehicles or Vessels Will be Towed Away At the
 1092 Owner's Expense" in not fewer than 4-inch high, light-reflective
 1093 letters on a contrasting background.

1094 g. A property owner towing or removing vessels from real
 1095 property must post notice, consistent with the requirements in
 1096 sub-subparagraphs a.-f., which apply to vehicles, that
 1097 unauthorized vehicles or vessels will be towed away at the
 1098 owner's expense.

1099
 1100 A business owner or lessee may authorize the removal of a
 1101 vehicle or vessel by a towing company when the vehicle or vessel
 1102 is parked in such a manner that restricts the normal operation

606-02820-26

20261220c2

1103 of business; and if a vehicle or vessel parked on a public
 1104 right-of-way obstructs access to a private driveway the owner,
 1105 lessee, or agent may have the vehicle or vessel removed by a
 1106 towing company upon signing an order that the vehicle or vessel
 1107 be removed without a posted tow-away zone sign.

1108 6. Any person or firm that tows or removes vehicles or
 1109 vessels and proposes to require an owner, operator, or person in
 1110 control or custody of a vehicle or vessel to pay the costs of
 1111 towing and storage before redemption of the vehicle or vessel
 1112 must file and keep on record with the local law enforcement
 1113 agency a complete copy of the current rates to be charged for
 1114 such services and post at the storage site an identical rate
 1115 schedule and any written contracts with property owners,
 1116 lessees, or persons in control of property which authorize such
 1117 person or firm to remove vehicles or vessels as provided in this
 1118 section.

1119 7. Any person or firm towing or removing any vehicles or
 1120 vessels from private property without the consent of the owner
 1121 or other legally authorized person in control or custody of the
 1122 vehicles or vessels shall, on any trucks, wreckers as defined in
 1123 s. 713.78(1), or other vehicles used in the towing or removal,
 1124 have the name, address, and telephone number of the company
 1125 performing such service clearly printed in contrasting colors on
 1126 the driver and passenger sides of the vehicle. The name shall be
 1127 in at least 3-inch permanently affixed letters, and the address
 1128 and telephone number shall be in at least 1-inch permanently
 1129 affixed letters.

1130 8. Vehicle entry for the purpose of removing the vehicle or
 1131 vessel shall be allowed with reasonable care on the part of the

Page 39 of 43

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606-02820-26

20261220c2

1132 person or firm towing the vehicle or vessel. Such person or firm
 1133 shall be liable for any damage occasioned to the vehicle or
 1134 vessel if such entry is not in accordance with the standard of
 1135 reasonable care.

1136 9. When a vehicle or vessel has been towed or removed
 1137 pursuant to this section, it must be released to its owner or
 1138 person in control or custody within 1 hour after requested. Any
 1139 vehicle or vessel owner or person in control or custody has the
 1140 right to inspect the vehicle or vessel before accepting its
 1141 return, and no release or waiver of any kind which would release
 1142 the person or firm towing the vehicle or vessel from liability
 1143 for damages noted by the owner or person in control or custody
 1144 at the time of the redemption may be required from any vehicle
 1145 or vessel owner or person in control or custody as a condition
 1146 of release of the vehicle or vessel to its owner or person in
 1147 control or custody. A detailed receipt showing the legal name of
 1148 the company or person towing or removing the vehicle or vessel
 1149 must be given to the person paying towing or storage charges at
 1150 the time of payment, whether requested or not.

1151 Section 36. Paragraph (a) of subsection (2) of section
 1152 1006.23, Florida Statutes, is amended to read:

1153 1006.23 Hazardous walking conditions.—

1154 (2) HAZARDOUS WALKING CONDITIONS.—

1155 (a) *Walkways parallel to the road.*—

1156 1. It shall be considered a hazardous walking condition
 1157 with respect to any road along which students must walk in order
 1158 to walk to and from school if there is not an area at least 4
 1159 feet wide adjacent to the road, not including drainage ditches,
 1160 sluiceways, swales, or channels, having a surface upon which

Page 40 of 43

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606-02820-26

20261220c2

1161 students may walk without being required to walk on the road
 1162 surface or if the walkway is along a limited access facility as
 1163 defined in s. 334.03 ~~s. 334.03(12)~~. In addition, whenever the
 1164 road along which students must walk is uncurbed and has a posted
 1165 speed limit of 50 miles per hour or greater, the area as
 1166 described above for students to walk upon shall be set off the
 1167 road by no less than 3 feet from the edge of the road.

1168 2. Subparagraph 1. does not apply when the road along which
 1169 students must walk:

1170 a. Is a road on which the volume of traffic is less than
 1171 180 vehicles per hour, per direction, during the time students
 1172 walk to and from school; or

1173 b. Is located in a residential area and has a posted speed
 1174 limit of 30 miles per hour or less.

1175 Section 37. For the purpose of incorporating the amendment
 1176 made by this act to section 316.003, Florida Statutes, in a
 1177 reference thereto, subsection (21) of section 320.02, Florida
 1178 Statutes, is reenacted to read:

1179 320.02 Registration required; application for registration;
 1180 forms.—

1181 (21) A personal delivery device and a mobile carrier as
 1182 defined in s. 316.003 are not required to satisfy the
 1183 registration and insurance requirements of this section.

1184 Section 38. For the purpose of incorporating the amendment
 1185 made by this act to section 316.003, Florida Statutes, in a
 1186 reference thereto, subsection (1) of section 324.021, Florida
 1187 Statutes, is reenacted to read:

1188 324.021 Definitions; minimum insurance required.—The
 1189 following words and phrases when used in this chapter shall, for

606-02820-26

20261220c2

1190 the purpose of this chapter, have the meanings respectively
 1191 ascribed to them in this section, except in those instances
 1192 where the context clearly indicates a different meaning:

1193 (1) MOTOR VEHICLE.—Every self-propelled vehicle that is
 1194 designed and required to be licensed for use upon a highway,
 1195 including trailers and semitrailers designed for use with such
 1196 vehicles, except traction engines, road rollers, farm tractors,
 1197 power shovels, and well drillers, and every vehicle that is
 1198 propelled by electric power obtained from overhead wires but not
 1199 operated upon rails, but not including any personal delivery
 1200 device or mobile carrier as defined in s. 316.003, bicycle,
 1201 electric bicycle, or moped. However, the term "motor vehicle"
 1202 does not include a motor vehicle as defined in s. 627.732(3)
 1203 when the owner of such vehicle has complied with the
 1204 requirements of ss. 627.730-627.7405, inclusive, unless the
 1205 provisions of s. 324.051 apply; and, in such case, the
 1206 applicable proof of insurance provisions of s. 320.02 apply.

1207 Section 39. For the purpose of incorporating the amendment
 1208 made by this act to section 316.003, Florida Statutes, in a
 1209 reference thereto, paragraph (a) of subsection (2) of section
 1210 324.022, Florida Statutes, is reenacted to read:

1211 324.022 Financial responsibility for property damage.—

1212 (2) As used in this section, the term:

1213 (a) "Motor vehicle" means any self-propelled vehicle that
 1214 has four or more wheels and that is of a type designed and
 1215 required to be licensed for use on the highways of this state,
 1216 and any trailer or semitrailer designed for use with such
 1217 vehicle. The term does not include:

1218 1. A mobile home.

606-02820-26

20261220c2

1219 2. A motor vehicle that is used in mass transit and
1220 designed to transport more than five passengers, exclusive of
1221 the operator of the motor vehicle, and that is owned by a
1222 municipality, transit authority, or political subdivision of the
1223 state.

1224 3. A school bus as defined in s. 1006.25.

1225 4. A vehicle providing for-hire transportation that is
1226 subject to the provisions of s. 324.031. A taxicab shall
1227 maintain security as required under s. 324.032(1).

1228 5. A personal delivery device as defined in s. 316.003.
1229 Section 40. This act shall take effect July 1, 2026.

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 Appropriations

BILL: CS/CS/SB 1690

INTRODUCER: Education Pre-K - 12 Committee; Children, Families, and Elder Affairs Committee; and Senator Calatayud

SUBJECT: Child Care and Early Learning Services

DATE: February 23, 2026 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Fiore</u>	<u>Tuszynski</u>	<u>CF</u>	<u>Fav/CS</u>
2.	<u>Sabitsch</u>	<u>Bouck</u>	<u>ED</u>	<u>Fav/CS</u>
3.	<u>Sneed</u>	<u>Sadberry</u>	<u>AP</u>	<u>Pre-meeting</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1690 makes several statutory changes relating to early childhood education and child care regulation, and directs initiatives to enhance early childhood education.

In child care regulation, the bill:

- Amends references to “family *day care* home” to “family *child care* home” throughout Florida Statutes.
- Requires the Department of Children and Families and local licensing agencies to disseminate electronically certain information regarding all child care facilities to the community.
- Removes the annual requirements for family day care homes and large family child care homes to provide parents with information related to flu shots and leaving children in a vehicle unattended.
- Requires child care facilities that are exempt from licensure to include a specified statement regarding their exemption on their website, promotional materials and facility-created documents, and forms provided to families.
- Adds “large family child care” as a type of child care services where the cancelation, denial, or nonrenewal of residential property insurance is prohibited solely on the basis that those services are provided at the residence.

In early childhood education, the bill:

- Authorizes the Florida Education Foundation, Inc., to raise and manage funds and property for the benefit of the state's early learning programs for children ages zero to five.
- Establishes the Florida Endowment for Early Learning within the Florida Education Foundation, Inc., to broaden the participation and funding potential to support and promote early learning opportunities.
- Expands the role of the TEACH Scholarship Program administrator to establish and administer the Center for Early Childhood Professional Recognition to ensure statewide alignment of training, trainer approval, and competency-based assessments for early learning professionals.

The bill has an anticipated negative fiscal impact of \$114,739 related to the Florida Endowment for Early Learning Foundation. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

Child Care Regulation

Florida regulates child care facilities, family day care homes, and large family child care homes under Chapter 402, F.S., which establishes licensure requirements, minimum standards, and enforcement authority for the Department of Children and Families (DCF). "Child care" is the care, protection and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.¹ If a program meets the statutory definition of child care, it is subject to regulation by the DCF or a local licensing agency, unless statute specifically excludes or exempts it from regulation.²

The child care licensing program is administered by the DCF and is accountable for the statewide licensure of Florida's child care facilities,³ large family child care homes,⁴ and the licensure or registration of family day care homes.⁵ Licensing standards for child care facilities must address personnel qualifications, health and safety requirements, sanitation, emergency preparedness, and training, including cardiopulmonary resuscitation requirements.⁶ Child care facilities must have at least one staff person trained in person in cardiopulmonary resuscitation present at all times that children are present.⁷

Family day care homes must be licensed if the home is currently licensed under an existing county licensing ordinance or if the board of county commissioners passes a resolution that

¹ Section 402.302(1), F.S.

² Sections 402.301-402.319, F.S.

³ Section 402.305, F.S.

⁴ Section 402.3131, F.S.

⁵ Section 402.313, F.S.

⁶ Section 402.305, F.S.

⁷ Section 402.305(7), F.S.

family day care homes must be licensed. If not subject to licensure, a family day care home must register with the DCF.⁸

Public Access to Child Care Information

The DCF and local licensing agencies must make available through electronic means all licensing standards and procedures, health and safety standards for school readiness providers, monitoring and inspection reports, and identifying information for licensed child care facilities, school readiness providers, and licensed or registered family day care homes.⁹ In addition, the required information includes annual data on deaths, serious injuries, and substantiated instances of child abuse occurring in child care settings.¹⁰ Because information captured in these reports is specific to *licensed* child care facilities, those which are exempt from licensure are not required to be included in these public reports.

Child Care Licensure Exemptions

A “child care facility” is generally defined as any arrangement providing care for more than five unrelated children for compensation.¹¹ Florida law provides exemptions from licensure requirements for certain child care facilities while preserving minimum health and safety protections.¹² Child care facilities that are an integral part of church or parochial schools and those that are operated by a business for the benefit of its employees are exempt from licensure requirements, but must comply with local health, sanitation, and safety requirements and with state background screening requirements for child care personnel.¹³ In addition, child care facilities and family day care homes that hold a certificate from the U.S. Department of Defense or the U.S. Coast Guard and meet applicable federal background screening standards are exempt from licensure unless they elect to serve children who are ineligible for care under federal military child care rules.¹⁴

Family Day Care Homes and Large Family Child Care Homes

A “family day care home” is an occupied residence in which child care is regularly provided for children from at least two unrelated families and which receive payments, fees, or grants for the children receiving care, whether or not operated for profit.¹⁵ Florida law establishes tiered capacity limits for family day care homes based on the number and ages of children in care.¹⁶

- Up to four children from birth to 12 months of age;
- Up to three children from birth to 12 months of age, plus additional children, for a maximum total of six children;
- Up to six preschool children, provided all children are older than 12 months of age; or

⁸ Section 402.305(7), F.S.

⁹ Section 402.306(3), F.S.

¹⁰ *Id.*; and *see also* Florida Department of Children and Families, *Brochures, Fact Sheets, and Reports*, <https://www.myflfamilies.com/services/child-family/child-care/child-care-providers-and-staff/brochures-fact-sheets-and-reports> (last visited on Feb. 19, 2026).

¹¹ Section 402.302(2), F.S.

¹² Section 402.316, F.S.

¹³ Section 402.316(1), F.S.

¹⁴ Section 402.316(2), F.S.

¹⁵ Sections 402.302(8) and 402.313, F.S.

¹⁶ Sections 402.302(8), F.S.

- Up to 10 children, provided that no more than five are preschool age and, of those five preschool children, no more than two are under 12 months of age.

These limits apply to the total number of children present, including the operator's own children under 13 years of age who are on the premises during operating hours.¹⁷ Unlike large family child care homes, family day care homes do not require two full-time child care personnel to always be present.

A "large family child care home" is a residential child care setting that serves more children than a standard family day care home and is subject to enhanced licensure requirements.¹⁸ To qualify as a large family child care home, the residence must have at least two full-time child care personnel present during operating hours, one of whom must be the owner or occupant of the residence.¹⁹ The operator must first have operated as a *licensed* family day care home for two years, with an operator who holds a child development associate credential or its equivalent for one year.²⁰ Including the operator's own children under 13 years of age who are on the premises during operating hours, large family child care homes may care for up to eight children from birth to 24 months of age or up to 12 children total, provided no more than four children are under 24 months of age.²¹

Family day care homes and large family child care homes must provide parents with educational materials regarding influenza immunization and the risks associated with leaving children unattended in vehicles.²²

Insurance Coverage for Child Care Operations

While the Legislature has recognized the importance of family child care homes in meeting child care needs, it has also acknowledged that child care operations increase liability exposure for insurers.²³ As a result, Florida law provides that coverage for liability arising from child care operations are generally excluded from residential property insurance policies unless such coverage is specifically included by endorsement.²⁴ Insurers are prohibited from denying, canceling, or refusing to renew a policy solely because a policyholder operates a family child day care home, subject to statutory exceptions.²⁵ The insurance protections for family day care homes do not extend to large family day care homes.

¹⁷ Sections 402.302(8), F.S.

¹⁸ Sections 402.302(11) and 402.3131, F.S.

¹⁹ Section 402.302(11), F.S.

²⁰ *Id.*

²¹ *Id.*

²² Section 402.3131(9)-(10), F.S.

²³ Section 627.70161(1), F.S.

²⁴ Section 627.70161(3), F.S.

²⁵ Section 627.70161(4), F.S.

Early Learning Programs and Workforce Support

Direct-Support Organizations

A direct-support organization (DSO) is a non-profit corporation that supports a public entity, such as a university, school district, or state agency, by raising and managing funds, managing property, and conducting programs consistent with the public entity's mission. The Florida Education Foundation, Inc., is a DSO of the Department of Education organized exclusively to receive, hold, invest, and administer property and make expenditures to or for the benefit of public pre-kindergarten through grade 12 education in Florida.²⁶

Early Learning Programs

Florida also operates early learning and child care assistance programs, such as the School Readiness Program²⁷ and the Voluntary Prekindergarten (VPK) Education Program.²⁸ Florida's VPK Program is a free, state-funded educational program designed to prepare four-year-olds for kindergarten and beyond. Each child who resides in Florida who will have attained the age of four years old on or before September 1 of the school year is eligible for the VPK Program during either that school year or the following school year.²⁹ Parents can choose to enroll their child in VPK Programs provided by private child care centers or public schools and school-year or summer programs.³⁰ Florida's School Readiness Program provides subsidies for child care services and early childhood education for children from low-income families; children in protective services who are at risk of abuse, neglect, abandonment, or homelessness; foster children; and children with disabilities.³¹

Teacher Education and Compensation Helps Scholarship Program

The Teacher Education and Compensation Helps (TEACH) Scholarship Program provides educational scholarships to early learning personnel to improve workforce qualifications and retention.³² The scholarship is available to Florida-resident teachers, directors, and family child care educators who meet specified education, employment, work-hour, and employer sponsorship requirements in licensed or exempt early learning or after-school settings.³³

²⁶ Section 1001.24(1)(a)2., F.S.; and Florida Education Foundation, Inc., *Financial Statements June 30, 2024 and 2023*, at pg. 10, https://flauditor.gov/pages/nonprofit_forprofit%20rpts/2024%20florida%20education%20foundation.pdf (last visited February 19, 2026).

²⁷ Sections 1002.81-1002.995, F.S.

²⁸ Sections 1002.51-1002.79, F.S.

²⁹ Section 1002.53(2), F.S.; see also Florida Department of Education, *What is Florida's Voluntary Prekindergarten Education Program (VPK)?*, <https://www.fldoe.org/schools/early-learning/parents/vpk-parents.stml> (last visited February 19, 2026).

³⁰ *Id.*

³¹ Sections 1002.81 and 1002.87, F.S.

³² Section 1002.95, F.S.

³³ Florida Head Start Organization, *T.E.A.C.H. Early Childhood Scholarship Program, Scholarship Models*, <https://www.flheadstart.org/assets/docs/TEACH/TEACH%20model%20brochure%20-final%2011-27.pdf>, (last visited February 19, 2026).

The program covers tuition and books, provides stipends and completion bonuses, offers counseling and administrative support, and reimburses employers for paid release time provided to participating scholars.³⁴

Early Learning Professional Learning Standards and Career Pathways

In 2019, the Legislature directed the Department of Education to develop statewide early learning training standards and identify career pathways with stackable, competency-based credentials for school readiness and early learning professionals.³⁵ These credentials should align with established professional standards, improve instructional practice, and support better child outcomes, including kindergarten readiness. The Department of Education is also authorized to provide incentives to qualified early learning and prekindergarten personnel who hold specified reading or literacy credentials, with alignment to K–12 training standards adopted by the State Board of Education.

III. Effect of Proposed Changes:

Section 1 amends s. 402.306, F.S., to include in Department of Children and Families (DCF) and local licensing agency reporting all child care facilities, rather than only those that are licensed, regarding licensing standards and procedures, health and safety standards for school readiness providers, monitoring and inspection reports, and annual data on child deaths, serious injuries, and substantiated abuse that have occurred in child care settings. The provision includes reporting those child care facilities that are an integral part of a church or parochial school and those that are run by businesses for the benefit of their employees.

Section 2 amends s. 402.313, F.S., to delete statutory provisions requiring family day care homes to provide parents with informational materials every August and September regarding influenza immunization and every April and September regarding the risks of leaving children unattended in vehicles.

Section 3 amends s. 402.3131, F.S., to delete statutory provisions requiring large family child care homes to provide parents with informational materials every August and September regarding influenza immunization and the risks of leaving children unattended in vehicles.

Section 4 amends s. 402.316, F.S., to require certain exempt child care facilities, specifically those that are an integral part of a church or parochial school and those that are run by businesses for the benefit of their employees, to include the statement “(child care facility name) is a child care facility operating under an exemption pursuant to the laws of the State of Florida and is not subject to licensure or regulation by the Department of Children and Families” on their websites and their promotional materials, documents, and forms provided to families they serve.

Section 5 amends s. 627.70161, F.S., to define “large family child care home” to mean an occupied residence in which child care is regularly provided for children from at least

³⁴ Florida Head Start Organization, *T.E.A.C.H. Early Childhood Scholarship Program, Scholarship Models*, <https://www.flheadstart.org/assets/docs/TEACH/TEACH%20model%20brochure%20-final%2011-27.pdf>, (last visited February 19, 2026).

³⁵ Section 1002.995, F.S.

two unrelated families for payment and has at least two full-time child care personnel, one of which must be the owner or occupant of the residence. The definition requires that a large family child care home to have first operated as a licensed family child care home for at least two years, by a credentialed operator holding that credential for at least one year. The definition requires any children under 13 years of age on the premises or on a field trip with children enrolled in child care to be included in the overall capacity of the licensed home and limits the number of children under 13 years of age a large family child care home may provide care to:

- Eight children from birth to 24 months of age.
- Twelve children maximum, with no more than four children under 24 months of age.

The bill adds large family child care homes to the current statutory prohibition on residential property insurance policies from providing liability coverage for claims arising from the operation of these child care homes unless such coverage is specifically covered in a policy or expressly included by rider or endorsement for business coverage attached to a policy. The section also adds large family child care homes to the section of law that provides that insurers are not obligated to defend such claims absent coverage and prohibits insurers from denying, canceling, or refusing to renew residential property insurance policies solely because the insured operates a family or large family child care home, subject to enumerated exceptions.

Section 6 amends s. 1001.24, F.S., to add “state’s early learning programs for children from birth to five years of age” to the definition of the Department of Education (DOE) direct-support organization (DSO). This will authorize the Florida Education Foundation, Inc., to receive, hold, invest, and administer property and to make expenditures to or for the benefit of the state's early learning programs for children birth to five, in addition to what it already provides for public prekindergarten through grade 12.

Section 7 creates s. 1002.821, F.S., to establish the Florida Endowment for Early Learning within the DOE’s DSO to serve as a long-term, stable and growing funding source for early learning initiatives. It defines key entities and accounts, including the endowment fund, an operating account, the governing board, and the foundation, and states legislative findings and intent to expand access to high-quality early learning through public and private financial support.

The section authorizes the DSO board to receive and manage state appropriations, private donations, grants, and gifts; requires separate accounting for state and nonstate funds; and establishes an operating account to carry out programmatic purposes. It further authorizes distributions for direct services to children through early learning coalitions and for donor-designated early learning programs, requires competitive solicitation for certain expenditures, mandates annual reporting by the Division of Early Learning, and directs the State Board of Education to adopt implementing rules.

Section 8 amends s. 1002.95, F.S., to provide that, subject to an appropriation, the administrator of the TEACH Scholarship Program must establish and administer the Center for Early Childhood Professional Recognition to ensure statewide alignment of training, trainer approval, and competency-based assessments. There is currently no such professional recognition entity for early childhood professionals designated or recognized in statute. However, the Department of Children and Families (DCF) maintains a registry where individuals employed in child care

are required to register for courses or continuing education units (CEUs) assessments, take courses or CEU assessments online and are able to view their individual training transcript.³⁶ It is unclear how the Center for Early Childhood Professional Recognition would interact or overlap with the existing systems.

Sections 1 through 5, and 9 through 32 amend “family *day care* home” to “family *child care* home” to conform to the substantive changes in the bill throughout Florida Statutes. Such change in name will require modifications to administrative rules, forms, contracts, and websites.

The bill takes effect July 1, 2026.

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 identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has a negative impact on state revenues and expenditures.

³⁶ Florida Department of Children and Families, *Training and Credentialing*, <https://www.myflfamilies.com/childcaretraining> (last visited February 19, 2026).

The Department of Education will likely require an additional full-time equivalent (FTE) position for the Florida Education Foundation's expanded responsibilities relating to early learning. The estimated total cost for the position is likely \$114,739 in the following:

- Salary and benefits: \$87,601;
- Expenses: \$7,392/Recurring, \$6,437/Non-recurring;
- Human Resources: \$356/Recurring; and
- Education Technology: \$12,953.³⁷

The bill also provides that, subject to an appropriation, the administrator of the TEACH Scholarship Program must establish and administer the Center for Early Childhood Professional Recognition to ensure statewide alignment of training, trainer approval, and competency-based assessments.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 402.306, 402.313, 402.3131, 402.316, 627.70161, 1001.24, 1002.95, 39.202, 125.0109, 166.0445, 212.08, 402.302, 402.305, 402.309, 402.310, 402.3115, 402.312, 402.315, 402.316, 402.318, 402.319, 409.988, 411.203, 1002.55, 1002.82, 1002.83, 1002.84, 1002.88, 1002.895, 1002.92, 1002.93, and 1002.945.

This bill creates section 1002.821 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/CS by Education Pre-K – 12 on February 10, 2026:

The CS revises rulemaking specified in the bill to reflect that the State Board of Education has the authority to adopt rules rather than the Department of Education.

CS by Children, Families, and Elder Affairs on February 3, 2026:

The CS removes:

- The revisions to certain child care licensure standards;

³⁷ Email from Sarah Moosbrugger, Deputy Director of Legislative Affairs. Department of Education, *RE: Senate Request: SB 1690 Early Childhood Education - Fiscal Impact* (Feb. 5, 2026) (on file with the Committee on Children, Families, and Elder Affairs).

- The contemplated exemptions relating to certain before-and after-school programs administered by public schools and nonpublic schools; and
- The directive for certain state agencies to examine the creation of a child care and early learning voucher program for children from families employed in high-demand occupations.

The CS maintains:

- The deletion of the requirement for child care homes to provide parents with information related to flu shots and leaving children in a vehicle unattended;
- The prohibition on the cancelation, denial, or nonrenewal of residential property insurance solely on the basis that certain child care services are provided at the residence;
- The authorization for the Florida Education Foundation, Inc., to raise and manage funds and property, and to conduct programs for the benefit of early learning programs and certain child care providers; and
- The expansion of the role of the TEACH Scholarship Program administrator to establish and administer the Center for Early Childhood Professional Recognition to ensure statewide alignment of training, trainer approval, and competency-based assessments for early learning professionals.

The CS adds the following:

- Requires the Department of Children and Families (DCF) and local licensing agencies to make publicly available certain information for all child care facilities, including those child care facilities that are an integral part of a church or parochial school and those that are run by businesses for the benefit of their employees and also requires certain exempt from licensure child care facilities to include specific notice to consumers that they operate under an exemption from licensure or regulation by the DCF;
- Creates the Florida Endowment for Early Learning within the Department of Education's (DOE's) direct-support organization to serve as a long-term, stable funding source for early learning initiatives. The language; defines key entities and accounts; authorizes the board to receive and manage state appropriations, private donations, grants, and gifts, requires separate accounting for state and nonstate funds, and establishes an operating account to carry out programmatic purposes; authorizes distributions for direct services to children through early learning coalitions and for donor-designated early learning programs; requires annual reporting by the Division of Early Learning; and directs the DOE to adopt implementing rules; and
- Makes conforming changes throughout statute.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Calatayud) recommended the following:

Senate Amendment (with title amendment)

Delete lines 465 - 651

and insert:

to or for the benefit of early learning programs for children from birth to 5 years of age and public prekindergarten through 12th grade education in this state.

3. That the State Board of Education, after review, has certified to be operating in a manner consistent with the goals and best interest of the Department of Education.



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11 (b) "Personal services" includes full-time or part-time
12 personnel, as well as payroll processing.

13 (2) USE OF PROPERTY.—The State Board of Education:

14 (a) May permit the use of property, facilities, and
15 personal services of the department by the direct-support
16 organization, subject to the provisions of this section.

17 (b) Shall prescribe by rule conditions with which the
18 direct-support organization must comply in order to use
19 property, facilities, or personal services of the department.
20 Such rules shall provide for budget and audit review and for
21 oversight by the department.

22 (c) Shall not permit the use of property, facilities, or
23 personal services of the direct-support organization if such
24 organization does not provide equal employment opportunities to
25 all persons, regardless of race, color, national origin, gender,
26 age, or religion.

27 (3) BOARD OF DIRECTORS.—The board of directors of the
28 department direct-support organization shall be appointed by the
29 commissioner and shall include representation from business,
30 industry, and other components of Florida's economy.

31 (4) ANNUAL AUDIT.—Each direct-support organization shall
32 provide for an annual financial audit in accordance with s.
33 215.981. The identity of donors who desire to remain anonymous
34 shall be protected, and that anonymity shall be maintained in
35 the auditor's report. All records of the organization other than
36 the auditor's report, management letter, and any supplemental
37 data requested by the Auditor General and the Office of Program
38 Policy Analysis and Government Accountability shall be
39 confidential and exempt from the provisions of s. 119.07(1).



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 38 - 59

and insert:

amending s. 1002.95, F.S.; requiring the

By the Committees on Education Pre-K - 12; and Children,
Families, and Elder Affairs; and Senator Calatayud

581-02721-26

20261690c2

1 A bill to be entitled
2 An act relating to child care and early learning
3 services; amending s. 402.306, F.S.; revising the
4 information on child care required to be disseminated
5 electronically to the community; amending ss. 402.313
6 and 402.3131, F.S.; deleting the requirement that
7 family child care homes and large family child care
8 homes, respectively, provide specified information to
9 parents each year; conforming provisions to changes
10 made by the act; amending s. 402.316, F.S.; requiring
11 that certain child care facilities exempt from
12 licensure requirements meet certain minimum
13 requirements; providing that failure to meet such
14 minimum requirements results in the loss of the
15 exemption from licensure; requiring child care
16 facilities exempt from licensure requirements to
17 include a specified statement on its website and in
18 its promotional materials and facility-created
19 documents and forms provided to families served by the
20 child care facility; amending s. 627.70161, F.S.;
21 changing the term "family day care home" to "family
22 child care home"; providing legislative findings and
23 intent relating to large family child care homes;
24 defining the term "large family child care home";
25 prohibiting residential property insurance policies
26 from providing coverage for liability for claims
27 arising out of, or in connection with, the operations
28 of large family child care homes; providing that
29 insurers are under no obligation to defend against

Page 1 of 48

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

581-02721-26

20261690c2

30 lawsuits covering such claims; providing exceptions;
31 prohibiting insurers from denying, cancelling, or
32 refusing to renew a policy for residential property
33 insurance on the basis that the policyholders or
34 applicants operate large family child care homes;
35 providing exceptions; reenacting and amending s.
36 1001.24, F.S.; revising the definition of the term
37 "Department of Education direct-support organization";
38 creating s. 1002.821, F.S.; providing a short title;
39 defining terms; providing legislative intent;
40 establishing the Florida Endowment for Early Learning
41 Foundation within a Department of Education direct-
42 support organization for a specified purpose;
43 requiring that the endowment fund principal derive
44 from specified sources; requiring the board of
45 directors to establish and deposit money into the
46 operating account; requiring such money to be used for
47 a specified purpose; requiring that funds from state
48 sources be accounted for separately from public and
49 private sources; specifying powers and duties of the
50 board of directors; requiring the board to use the
51 moneys in the operating account for specified
52 purposes; providing for early learning provider
53 selection, copay pricing, reimbursement, and
54 administrative requirements; prohibiting state funds
55 from being spent on certain donors or supporters;
56 requiring the Division of Early Learning to include
57 specified information in its annual report of its
58 activities; requiring the State Board of Education to

Page 2 of 48

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581-02721-26

20261690c2

59 adopt rules; amending s. 1002.95, F.S.; requiring the
 60 administrator of the Teacher Education and
 61 Compensation Helps Scholarship Program, subject to an
 62 appropriation, to establish and administer the Center
 63 for Early Childhood Professional Recognition for a
 64 specified purpose; amending ss. 39.202, 125.0109,
 65 166.0445, 212.08, 402.302, 402.305, 402.309, 402.310,
 66 402.3115, 402.312, 402.315, 402.318, 402.319, 409.988,
 67 411.203, 1002.55, 1002.82, 1002.83, 1002.84, 1002.88,
 68 1002.895, 1002.92, 1002.93, and 1002.945, F.S.;
 69 conforming provisions to changes made by the act;
 70 providing an effective date.

71
 72 Be It Enacted by the Legislature of the State of Florida:

73
 74 Section 1. Subsection (3) of section 402.306, Florida
 75 Statutes, is amended to read:

76 402.306 Designation of licensing agency; dissemination by
 77 the department and local licensing agency of information on
 78 child care.—

79 (3) The department and local licensing agencies, or the
 80 designees thereof, shall be responsible for coordination and
 81 dissemination of information on child care to the community and
 82 shall make available through electronic means all licensing
 83 standards and procedures, health and safety standards for school
 84 readiness providers, monitoring and inspection reports, and the
 85 names and addresses of ~~licensed~~ child care facilities, school
 86 readiness program providers, and, where applicable pursuant to
 87 s. 402.313, licensed or registered family child day care homes.

Page 3 of 48

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581-02721-26

20261690c2

88 This information shall also include the number of deaths,
 89 serious injuries, and instances of substantiated child abuse
 90 that have occurred in child care settings, including those which
 91 are exempt pursuant to s. 402.316(1) or (2), each year; research
 92 and best practices in child development; and resources regarding
 93 social-emotional development, parent and family engagement,
 94 healthy eating, and physical activity.

95 Section 2. Section 402.313, Florida Statutes, is amended to
 96 read:

97 402.313 Family child day care homes.—

98 (1) Family child day care homes shall be licensed under
 99 this act if they are presently being licensed under an existing
 100 county licensing ordinance or if the board of county
 101 commissioners passes a resolution that family child day care
 102 homes be licensed.

103 (a) If not subject to license, family child day care homes
 104 shall register annually with the department, providing the
 105 following information:

- 106 1. The name and address of the home.
- 107 2. The name of the operator.
- 108 3. The number of children served.
- 109 4. Proof of a written plan to provide at least one other
 110 competent adult to be available to substitute for the operator
 111 in an emergency. This plan shall include the name, address, and
 112 telephone number of the designated substitute.
- 113 5. Proof of screening and background checks.
- 114 6. Proof of successful completion of the 30-hour training
 115 course, as evidenced by passage of a competency examination,
 116 which shall include:

Page 4 of 48

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581-02721-26

20261690c2

- 117 a. State and local rules and regulations that govern child
118 care.
- 119 b. Health, safety, and nutrition.
- 120 c. Identifying and reporting child abuse and neglect.
- 121 d. Child development, including typical and atypical
122 language development; and cognitive, motor, social, and self-
123 help skills development.
- 124 e. Observation of developmental behaviors, including using
125 a checklist or other similar observation tools and techniques to
126 determine a child's developmental level.
- 127 f. Specialized areas, including early literacy and language
128 development of children from birth to 5 years of age, as
129 determined by the department, for owner-operators of family
130 child day care homes.
- 131 7. Proof that immunization records are kept current.
- 132 8. Proof of completion of the required continuing education
133 units or clock hours.
- 134 (b) A family child day care home may volunteer to be
135 licensed under this act.
- 136 (c) The department may provide technical assistance to
137 counties and family child day care home providers to enable
138 counties and family child day care providers to achieve
139 compliance with family child day care homes standards.
- 140 (2) This information shall be included in a directory to be
141 published annually by the department to inform the public of
142 available child care facilities.
- 143 (3) Child care personnel in family child day care homes
144 shall be subject to the applicable screening provisions
145 contained in ss. 402.305(2) and 402.3055. For purposes of

581-02721-26

20261690c2

- 146 screening in family child day care homes, the term includes any
147 member over the age of 12 years of a family child day care home
148 operator's family, or persons over the age of 12 years residing
149 with the operator in the family child day care home. Members of
150 the operator's family, or persons residing with the operator,
151 who are between the ages of 12 years and 18 years shall not be
152 required to be fingerprinted, but shall be screened for
153 delinquency records.
- 154 (4) Operators of family child day care homes must
155 successfully complete an approved 30-clock-hour introductory
156 course in child care, as evidenced by passage of a competency
157 examination, before caring for children.
- 158 (5) In order to further develop their child care skills
159 and, if appropriate, their administrative skills, operators of
160 family child day care homes shall be required to complete an
161 additional 1 continuing education unit of approved training or
162 10 clock hours of equivalent training, as determined by the
163 department, annually.
- 164 (6) Operators of family child day care homes shall be
165 required to complete 0.5 continuing education unit of approved
166 training in early literacy and language development of children
167 from birth to 5 years of age one time. The year that this
168 training is completed, it shall fulfill the 0.5 continuing
169 education unit or 5 clock hours of the annual training required
170 in subsection (5).
- 171 (7) Operators of family child day care homes shall be
172 required annually to complete a health and safety home
173 inspection self-evaluation checklist developed by the department
174 in conjunction with the statewide resource and referral program.

581-02721-26 20261690c2

175 The completed checklist shall be signed by the operator of the
 176 family child day care home and provided to parents as
 177 certification that basic health and safety standards are being
 178 met.

179 (8) Family child day care home operators may avail
 180 themselves of supportive services offered by the department.

181 (9) The department shall prepare a brochure on family child
 182 day care for distribution by the department and by local
 183 licensing agencies, if appropriate, to family child day care
 184 homes for distribution to parents utilizing such child care, and
 185 to all interested persons, including physicians and other health
 186 professionals; mental health professionals; school teachers or
 187 other school personnel; social workers or other professional
 188 child care, foster care, residential, or institutional workers;
 189 and law enforcement officers. The brochure shall, at a minimum,
 190 contain the following information:

191 (a) A brief description of the requirements for family
 192 child day care registration, training, and fingerprinting and
 193 screening.

194 (b) A listing of those counties that require licensure of
 195 family child day care homes. Such counties shall provide an
 196 addendum to the brochure that provides a brief description of
 197 the licensure requirements or may provide a brochure in lieu of
 198 the one described in this subsection, provided it contains all
 199 the required information on licensure and the required
 200 information in the subsequent paragraphs.

201 (c) A statement indicating that information about the
 202 family child day care home's compliance with applicable state or
 203 local requirements can be obtained by telephoning the department

581-02721-26 20261690c2

204 office or the office of the local licensing agency, if
 205 appropriate, at a telephone number or numbers which shall be
 206 affixed to the brochure.

207 (d) The statewide toll-free telephone number of the central
 208 abuse hotline, together with a notice that reports of suspected
 209 and actual child physical abuse, sexual abuse, and neglect are
 210 received and referred for investigation by the hotline.

211 (e) Any other information relating to competent child care
 212 that the department or local licensing agency, if preparing a
 213 separate brochure, deems would be helpful to parents and other
 214 caretakers in their selection of a family child day care home.

215 (10) On an annual basis, the department shall evaluate the
 216 registration and licensure system for family child day care
 217 homes. Such evaluation shall, at a minimum, address the
 218 following:

219 (a) The number of family child day care homes registered
 220 and licensed and the dates of such registration and licensure.

221 (b) The number of children being served in both registered
 222 and licensed family child day care homes and any available slots
 223 in such homes.

224 (c) The number of complaints received concerning family
 225 child day care, the nature of the complaints, and the resolution
 226 of such complaints.

227 (d) The training activities utilized by child care
 228 personnel in family child day care homes for meeting the state
 229 or local training requirements.

230
 231 The evaluation shall be utilized by the department in any
 232 administrative modifications or adjustments to be made in the

581-02721-26 20261690c2

233 registration of family child day care homes or in any
 234 legislative requests for modifications to the system of
 235 registration or to other requirements for family child day care
 236 homes.

237 (11) In order to inform the public of the state requirement
 238 for registration of family child day care homes as well as the
 239 other requirements for such homes to legally operate in the
 240 state, the department shall institute a media campaign to
 241 accomplish this end. Such a campaign shall include, at a
 242 minimum, flyers, newspaper advertisements, radio advertisements,
 243 and television advertisements.

244 (12) Notwithstanding any other state or local law or
 245 ordinance, any family child day care home licensed pursuant to
 246 this chapter or pursuant to a county ordinance shall be charged
 247 the utility rates accorded to a residential home. A licensed
 248 family child day care home may not be charged commercial utility
 249 rates.

250 (13) The department shall, by rule, establish minimum
 251 standards for family child day care homes that are required to
 252 be licensed by county licensing ordinance or county licensing
 253 resolution or that voluntarily choose to be licensed. The
 254 standards should include requirements for staffing, training,
 255 maintenance of immunization records, minimum health and safety
 256 standards, reduced standards for the regulation of child care
 257 during evening hours by municipalities and counties, and
 258 enforcement of standards.

259 ~~(14) During the months of August and September of each~~
 260 ~~year, each family day care home shall provide parents of~~
 261 ~~children enrolled in the home detailed information regarding the~~

581-02721-26 20261690c2

262 ~~causes, symptoms, and transmission of the influenza virus in an~~
 263 ~~effort to educate those parents regarding the importance of~~
 264 ~~immunizing their children against influenza as recommended by~~
 265 ~~the Advisory Committee on Immunization Practices of the Centers~~
 266 ~~for Disease Control and Prevention.~~

267 ~~(15) During the months of April and September of each year,~~
 268 ~~at a minimum, each family day care home shall provide parents of~~
 269 ~~children attending the family day care home information~~
 270 ~~regarding the potential for a distracted adult to fail to drop~~
 271 ~~off a child at the family day care home and instead leave the~~
 272 ~~child in the adult's vehicle upon arrival at the adult's~~
 273 ~~destination. The family day care home shall also give parents~~
 274 ~~information about resources with suggestions to avoid this~~
 275 ~~occurrence. The department shall develop a flyer or brochure~~
 276 ~~with this information that shall be posted to the department's~~
 277 ~~website, which family day care homes may choose to reproduce and~~
 278 ~~provide to parents to satisfy the requirements of this~~
 279 ~~subsection.~~

280 Section 3. Subsections (9) and (10) of section 402.3131,
 281 Florida Statutes, are amended to read:

282 402.3131 Large family child care homes.—

283 ~~(9) During the months of August and September of each year,~~
 284 ~~each large family child care home shall provide parents of~~
 285 ~~children enrolled in the home detailed information regarding the~~
 286 ~~causes, symptoms, and transmission of the influenza virus in an~~
 287 ~~effort to educate those parents regarding the importance of~~
 288 ~~immunizing their children against influenza as recommended by~~
 289 ~~the Advisory Committee on Immunization Practices of the Centers~~
 290 ~~for Disease Control and Prevention.~~

581-02721-26

20261690c2

291 ~~(10) During the months of April and September of each year,~~
 292 ~~at a minimum, each large family child care home shall provide~~
 293 ~~parents of children attending the large family child care home~~
 294 ~~information regarding the potential for a distracted adult to~~
 295 ~~fail to drop off a child at the large family child care home and~~
 296 ~~instead leave the child in the adult's vehicle upon arrival at~~
 297 ~~the adult's destination. The large family child care home shall~~
 298 ~~also give parents information about resources with suggestions~~
 299 ~~to avoid this occurrence. The department shall develop a flyer~~
 300 ~~or brochure with this information that shall be posted to the~~
 301 ~~department's website, which large family child care homes may~~
 302 ~~choose to reproduce and provide to parents to satisfy the~~
 303 ~~requirements of this subsection.~~

304 Section 4. Section 402.316, Florida Statutes, is amended to
 305 read:

306 402.316 Exemptions.—

307 (1) The provisions of ss. 402.301-402.319, except for the
 308 requirements regarding screening of child care personnel
 309 pursuant to ss. 402.305 and 402.3055, do not apply to a child
 310 care facility which is an integral part of church or parochial
 311 schools, ~~or a child care facility that solely provides child~~
 312 ~~care to eligible children as defined in s. 402.261(1)(c),~~
 313 conducting regularly scheduled classes, courses of study, or
 314 educational programs accredited by, or by a member of, an
 315 organization that which publishes and requires compliance with
 316 its standards for health, safety, and sanitation. ~~However,~~ Such
 317 facilities must shall meet minimum requirements of the
 318 applicable local governing body as to health, sanitation, and
 319 safety and ~~shall meet the screening requirements pursuant to ss.~~

Page 11 of 48

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581-02721-26

20261690c2

320 ~~402.305 and 402.3055. Failure by a facility to comply with such~~
 321 ~~screening requirements pursuant to ss. 402.305 and 402.3055~~
 322 ~~shall result in the loss of the facility's exemption from~~
 323 ~~licensure.~~

324 (2) The provisions of ss. 402.301-402.319, except for the
 325 requirements regarding screening of child care personnel
 326 pursuant to ss. 402.305 and 402.3055, do not apply to a child
 327 care facility that solely provides child care to eligible
 328 children as defined in s. 402.261(1)(c). Such facilities must
 329 meet minimum requirements of the applicable local governing body
 330 as to health, sanitation, and safety. Failure by a facility to
 331 comply with screening requirements pursuant to ss. 402.305 and
 332 402.3055 shall result in the loss of the facility's exemption
 333 from licensure.

334 (3)(2) The provisions of ss. 402.301-402.319 do not apply
 335 to a child care facility or family child day care home if the
 336 child care facility or family child day care home has a
 337 certificate issued by the United States Department of Defense or
 338 by the United States Coast Guard to provide child care and has
 339 completed background screening by the United States Department
 340 of Defense pursuant to 34 U.S.C. s. 20351 and 32 C.F.R. part 86
 341 and received a favorable suitability and fitness determination.
 342 If the child care facility or family child day care home elects
 343 to serve children ineligible for care under the United States
 344 Department of Defense Instruction 6060.02, the child care
 345 facility or family child day care home must be licensed under
 346 this chapter.

347 (4)(3) Any child care facility covered by the exemption
 348 under subsection (1) or subsection (2) which desires to be

Page 12 of 48

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581-02721-26 20261690c2

349 licensed may submit an application to the department or local
350 licensing agency pursuant to s. 402.308(4).

351 ~~(5)(4)~~ The department and the local licensing agency
352 pursuant to s. 402.308(4) shall adopt rules to administer and
353 implement this section, including, but not limited to, any
354 assessments of previous licensure history.

355 (6) A child care facility exempt under subsection (1) or
356 subsection (2) must include, at a minimum, the following
357 statement on its website, in its promotional materials, and on
358 its facility-created documents and forms provided to families
359 served by the child care facility: "(Child care facility name)
360 is a child care facility operating under an exemption pursuant
361 to the laws of the State of Florida and is not subject to
362 licensure or regulation by the Department of Children and
363 Families."

364 Section 5. Section 627.70161, Florida Statutes, is amended
365 to read:

366 627.70161 Family child day care and large family child care
367 insurance.-

368 (1) PURPOSE AND INTENT.—The Legislature recognizes that
369 family child day care and large family child care homes fulfill
370 a vital role in providing child care in Florida. It is the
371 intent of the Legislature that residential property insurance
372 coverage should not be canceled, denied, or nonrenewed solely on
373 the basis of the child family day care services at the
374 residence. The Legislature also recognizes that the potential
375 liability of residential property insurers is substantially
376 increased by the rendition of child care services on the
377 premises. The Legislature therefore finds that there is a public

581-02721-26 20261690c2

378 need to specify that contractual liabilities that arise in
379 connection with the operation of the family child day care home
380 or the large family child care home are excluded from
381 residential property insurance policies unless they are
382 specifically included in such coverage.

383 (2) DEFINITIONS.—As used in this section, the term:

384 (a) "Child care" means the care, protection, and
385 supervision of a child, for a period of less than 24 hours a day
386 on a regular basis, which supplements parental care, enrichment,
387 and health supervision for the child, in accordance with his or
388 her individual needs, and for which a payment, fee, or grant is
389 made for care.

390 (b) "Family child day care home" means an occupied
391 residence in which child care is regularly provided for children
392 from at least two unrelated families and which receives a
393 payment, fee, or grant for any of the children receiving care,
394 whether or not operated for a profit.

395 (c) "Large family child care home" means an occupied
396 residence in which child care is regularly provided for children
397 from at least two unrelated families; which receives a payment,
398 fee, or grant for any of the children receiving care, whether or
399 not operated for profit; and which has at least two full-time
400 child care personnel on the premises during the hours of
401 operation. One of the two full-time child care personnel must be
402 the owner or occupant of the residence. A large family child
403 care home must first have operated as a licensed family child
404 care home for at least 2 years, with an operator who has held a
405 child development associate credential or its equivalent for at
406 least 1 year, before seeking licensure as a large family child

581-02721-26

20261690c2

407 care home. Household children under 13 years of age, when on the
 408 premises of the large family child care home or on a field trip
 409 with children enrolled in child care, must be included in the
 410 overall capacity of the licensed home. A large family child care
 411 home may provide care for one of the following groups of
 412 children, which must include household children under 13 years
 413 of age:

414 1. A maximum of 8 children from birth to 24 months of age.

415 2. A maximum of 12 children, with no more than 4 children
 416 under 24 months of age.

417 (3) FAMILY CHILD DAY CARE AND LARGE FAMILY CHILD CARE
 418 HOMES; COVERAGE.—A residential property insurance policy may
 419 ~~shall~~ not provide coverage for liability for claims arising out
 420 of, or in connection with, the operation of a family child day
 421 care home or a large family child care home, and the insurer
 422 shall be under no obligation to defend against lawsuits covering
 423 such claims, unless:

424 (a) Specifically covered in a policy; or

425 (b) Covered by a rider or endorsement for business coverage
 426 attached to a policy.

427 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
 428 insurer may not deny, cancel, or refuse to renew a policy for
 429 residential property insurance solely on the basis that the
 430 policyholder or applicant operates a family child day care home
 431 or a large family child care home. In addition to other lawful
 432 reasons for refusing to insure, an insurer may deny, cancel, or
 433 refuse to renew a policy of a family child day care home or a
 434 large family child care home provider if one or more of the
 435 following conditions occur:

Page 15 of 48

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581-02721-26

20261690c2

436 (a) The policyholder or applicant provides care for more
 437 children than authorized ~~for family day care homes~~ by s.
 438 402.302;

439 (b) The policyholder or applicant fails to maintain a
 440 separate commercial liability policy or an endorsement providing
 441 liability coverage for the family child day care home or the
 442 large family child care home operations;

443 (c) The policyholder or applicant fails to comply with the
 444 applicable family day care home licensure and registration
 445 requirements specified in chapter 402 s. 402.313; or

446 (d) Discovery of willful or grossly negligent acts or
 447 omissions or any violations of state laws or regulations
 448 establishing safety standards for family child day care homes or
 449 large family child care homes by the named insured or his or her
 450 representative which materially increase any of the risks
 451 insured.

452 Section 6. Section 1001.24, Florida Statutes, is reenacted
 453 and amended to read:

454 1001.24 Direct-support organization; use of property; board
 455 of directors; audit.—

456 (1) DEFINITIONS.—For the purposes of this section, the
 457 term:

458 (a) "Department of Education direct-support organization"
 459 means an organization:

460 1. That is a corporation not for profit that is
 461 incorporated under the provisions of chapter 617 and approved by
 462 the Department of State.

463 2. That is organized and operated exclusively to receive,
 464 hold, invest, and administer property and to make expenditures

Page 16 of 48

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581-02721-26 20261690c2

465 to or for the benefit of the state's early learning programs for
 466 children from birth to 5 years of age and public prekindergarten
 467 through 12th grade education in this state.

468 3. That the State Board of Education, after review, has
 469 certified to be operating in a manner consistent with the goals
 470 and best interest of the Department of Education.

471 (b) "Personal services" includes full-time or part-time
 472 personnel, as well as payroll processing.

473 (2) USE OF PROPERTY.—The State Board of Education:

474 (a) May permit the use of property, facilities, and
 475 personal services of the department by the direct-support
 476 organization, subject to the provisions of this section.

477 (b) Shall prescribe by rule conditions with which the
 478 direct-support organization must comply in order to use
 479 property, facilities, or personal services of the department.
 480 Such rules shall provide for budget and audit review and for
 481 oversight by the department.

482 (c) Shall not permit the use of property, facilities, or
 483 personal services of the direct-support organization if such
 484 organization does not provide equal employment opportunities to
 485 all persons, regardless of race, color, national origin, gender,
 486 age, or religion.

487 (3) BOARD OF DIRECTORS.—The board of directors of the
 488 department direct-support organization shall be appointed by the
 489 commissioner and shall include representation from business,
 490 industry, and other components of Florida's economy.

491 (4) ANNUAL AUDIT.—Each direct-support organization shall
 492 provide for an annual financial audit in accordance with s.
 493 215.981. The identity of donors who desire to remain anonymous

581-02721-26 20261690c2

494 shall be protected, and that anonymity shall be maintained in
 495 the auditor's report. All records of the organization other than
 496 the auditor's report, management letter, and any supplemental
 497 data requested by the Auditor General and the Office of Program
 498 Policy Analysis and Government Accountability shall be
 499 confidential and exempt from the provisions of s. 119.07(1).

500 Section 7. Section 1002.821, Florida Statutes, is created
 501 to read:

502 1002.821 Florida Endowment for Early Learning.—

503 (1) SHORT TITLE.—This section may be cited as the "Florida
 504 Endowment for Early Learning Act."

505 (2) DEFINITIONS.—As used in this section, the term:

506 (a) "Board" means the board of directors of the Department
 507 of Education direct-support organization under s. 1001.24.

508 (b) "Endowment fund" means an account established within
 509 the Department of Education direct-support organization for the
 510 Division of Early Learning within the department to provide a
 511 continuing and growing source of revenue for the state's early
 512 learning efforts.

513 (c) "Foundation" means the Department of Education direct-
 514 support organization under s. 1001.24.

515 (d) "Operating account" means an account established under
 516 paragraph (4) (c) to carry out the purposes provided in
 517 subsection (6).

518 (3) LEGISLATIVE INTENT.—The Legislature recognizes that
 519 access to high-quality early learning experiences prepares
 520 children for a lifetime of success by fostering foundational
 521 skills in academics, developing executive functioning skills,
 522 and supporting cognitive function. This includes better

581-02721-26 20261690c2

523 preparation for kindergarten, stronger cognitive and problem-
 524 solving abilities, and improved approaches to learning, which
 525 all contribute to greater long-term educational attainment and
 526 career success. However, there is a critical need for
 527 significant additional funding to achieve this goal.
 528 Accordingly, the Legislature further finds and declares that:
 529 (a) With continued support, this state's youngest residents
 530 can have access to high-quality early learning opportunities
 531 that reduce the need for significant long-term educational
 532 interventions and provide the foundational experiences needed
 533 for a child to have success in school and in life.
 534 (b) The purpose of this section is to broaden the
 535 participation and funding potential for further significant
 536 support for access to early-learning opportunities for this
 537 state's youngest learners.
 538 (c) It is appropriate to encourage individual and corporate
 539 support and involvement, as well as state support and
 540 involvement, to promote access to early learning programs for
 541 this state's youngest residents.
 542 (4) REVENUE FOR THE ENDOWMENT FUND.—
 543 (a) The Florida Endowment for Early Learning is established
 544 within the Department of Education direct-support organization
 545 under s. 1001.24 to create a long-term, stable, and growing
 546 source of revenue to be administered, in accordance with rules
 547 adopted by the State Board of Education.
 548 (b) The principal of the endowment fund shall be derived
 549 from any legislative appropriations that may be made to the
 550 endowment, and such bequests, gifts, grants, and donations as
 551 may be solicited for such purpose by the foundation from public

Page 19 of 48

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581-02721-26 20261690c2

552 or private sources.
 553 (c) The board of directors of the foundation shall
 554 establish the operating account and shall deposit therein the
 555 moneys transmitted. Moneys in the operating account shall be
 556 available to carry out the purposes of subsection (6).
 557 (d) Funds received from state sources shall be accounted
 558 for separately from bequests, gifts, grants, and donations,
 559 which may be solicited for such purposes by the foundation from
 560 public or private sources. Earnings on funds received from state
 561 sources and funds received from public or private sources shall
 562 be accounted for separately.
 563 (5) ORGANIZATION, POWERS, AND DUTIES.—Within the limits
 564 prescribed in this section or by rule of the State Board of
 565 Education:
 566 (a) The board may solicit and receive bequests, gifts,
 567 grants, donations, goods, and services. Where gifts are
 568 restricted as to purpose, they may be used only for the purpose
 569 or purposes stated by the donor. The board may transmit monetary
 570 gifts to the State Board of Administration for deposit in the
 571 endowment fund principal.
 572 (b) The board may enter into contracts with the Federal
 573 Government, state or local agencies, early learning coalitions,
 574 private entities, or individuals to carry out the purposes of
 575 this section.
 576 (c) The board may identify, initiate, and fund new and
 577 creative programs to carry out the purposes of this section,
 578 utilizing existing organizations, early learning coalitions,
 579 associations, and agencies to carry out such early learning
 580 programs and purposes wherever possible.

Page 20 of 48

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581-02721-26

20261690c2

581 (d) The board may make gifts or grants to all of the
 582 following:
 583 1. The state or any political subdivision thereof, or any
 584 public agency of state or local government.
 585 2. An early learning coalition for administration of direct
 586 services to children identified by the board.
 587 3. The division for purposes of program recognition and
 588 marketing, public relations, and education.
 589 (e) The board may advertise and solicit applications for
 590 funding and shall evaluate applications and program proposals
 591 submitted thereto. Funding shall be awarded only where the
 592 evaluation is positive and the proposal meets both the
 593 guidelines for use established in subsection (6) and such
 594 evaluation criteria as the State Board of Education may
 595 prescribe by rule.
 596 (f) The board shall monitor, review, and annually evaluate
 597 funded programs to determine whether funding should be
 598 continued, terminated, reduced, or increased.
 599 (g) The board shall establish an operating account as
 600 provided in paragraph (4) (c).
 601 (h) The board may take additional actions, including the
 602 hiring of necessary staff, as are deemed necessary and
 603 appropriate to administer this section, subject to rules of the
 604 State Board of Education.
 605 (6) DISTRIBUTION OF MONEYS.—The board shall use the moneys
 606 in the operating account to provide for:
 607 (a) Direct services to children in accordance with an
 608 allocation methodology proposed by the Division of Early
 609 Learning to an early learning coalition approved by the board.

Page 21 of 48

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581-02721-26

20261690c2

610 1. The parent or guardian of a child receiving direct
 611 services from an early learning coalition shall choose from
 612 providers under a contract with an early learning coalition
 613 pursuant to s. 1002.88.
 614 2. Unless otherwise specified by the donor, the early
 615 learning coalition shall apply a parent copay based on family
 616 income pursuant to s. 1002.84(9) or s. 1002.935(2) (b).
 617 3. The early learning coalition shall reimburse a provider
 618 servicing a child using direct service funds from the early
 619 learning endowment at the same reimbursement rate allowed
 620 pursuant to s. 1002.84(17) (a).
 621 4. Each early learning coalition providing direct services
 622 must comply with the same administrative requirements under this
 623 part.
 624 (b) Programs designed to support early learning as
 625 identified by donors, gifts, or grants.
 626 Any allocation of funds made for programs pursuant to paragraph
 627 (b) or for advertising or consulting is subject to a competitive
 628 solicitation process. State funds may not be used to fund events
 629 for private sector donors or potential donors or to honor
 630 supporters.
 631 (7) ANNUAL REPORT.—The Division of Early Learning shall
 632 include information in its report of activities pursuant to s.
 633 1002.82(7) summarizing the performance of the endowment fund for
 634 the previous fiscal year, summarizing the foundation's
 635 fundraising activities and performance, and detailing the
 636 activities and programs supported by the endowment principal or
 637 earnings on the endowment principal and the activities and
 638 earnings on the endowment principal and the activities and

Page 22 of 48

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581-02721-26 20261690c2

639 programs supported by private sources, bequests, gifts, grants,
 640 donations, and other valued goods and services received. The
 641 report must also include all of the following:

642 (a) Financial data, by service type, including expenditures
 643 for administration and the provision of services by each early
 644 learning coalition.

645 (b) The amount of funds spent on administrative expenses
 646 and fundraising and the amount of funds raised from private
 647 sources.

648 (c) Outcome data, including the number of children served
 649 and any child outcomes.

650 (8) RULES.—The State Board of Education shall adopt rules
 651 to implement this section.

652 Section 8. Present subsection (2) of section 1002.95,
 653 Florida Statutes, is redesignated as subsection (3), and a new
 654 subsection (2) is added to that section, to read:

655 1002.95 Teacher Education and Compensation Helps (TEACH)
 656 Scholarship Program.—

657 (2) Subject to an appropriation, the TEACH Scholarship
 658 Program administrator shall also establish and administer the
 659 Center for Early Childhood Professional Recognition to ensure
 660 alignment of training statewide, including, but not limited to,
 661 a system of training approval, a system of trainer approval, and
 662 implementation of competency-based assessments aligned to the
 663 early learning professional development standards and career
 664 pathways under s. 1002.995.

665 Section 9. Paragraph (a) of subsection (2) of section
 666 39.202, Florida Statutes, is amended to read:

667 39.202 Confidentiality of reports and records in cases of

581-02721-26 20261690c2

668 child abuse or neglect; exception.—

669 (2) Except as provided in subsection (4), access to such
 670 records, excluding the name of, or other identifying information
 671 with respect to, the reporter which may only be released as
 672 provided in subsection (5), may only be granted to the following
 673 persons, officials, and agencies:

674 (a) Employees, authorized agents, or contract providers of
 675 the department, the Department of Health, the Agency for Persons
 676 with Disabilities, the Agency for Health Care Administration,
 677 the Department of Education, or county agencies responsible for
 678 carrying out:

679 1. Child or adult protective investigations;

680 2. Ongoing child or adult protective services;

681 3. Early intervention and prevention services;

682 4. Healthy Start services;

683 5. Licensure or approval of adoptive homes, foster homes,
 684 child care facilities, facilities licensed under chapters 393
 685 and 394, family child day care homes, providers who receive
 686 school readiness funding under part VI of chapter 1002, or other
 687 homes used to provide for the care and welfare of children;

688 6. Employment screening for caregivers in residential group
 689 homes and facilities licensed under chapters 393, 394, and 409;
 690 or

691 7. Services for victims of domestic violence when provided
 692 by certified domestic violence centers working at the
 693 department's request as case consultants or with shared clients.

694 Also, employees or agents of the Department of Juvenile Justice
 695 responsible for the provision of services to children, pursuant
 696

581-02721-26 20261690c2

697 to chapters 984 and 985.

698 Section 10. Section 125.0109, Florida Statutes, is amended
699 to read:

700 125.0109 Family ~~child day~~ care homes; local zoning
701 regulation.—The operation of a residence as a family child day
702 care home, as defined by law, registered or licensed with the
703 Department of Children and Families shall constitute a valid
704 residential use for purposes of any local zoning regulations,
705 and no such regulation shall require the owner or operator of
706 such family child day care home to obtain any special exemption
707 or use permit or waiver, or to pay any special fee in excess of
708 \$50, to operate in an area zoned for residential use.

709 Section 11. Section 166.0445, Florida Statutes, is amended
710 to read:

711 166.0445 Family child day care homes; local zoning
712 regulation.—The operation of a residence as a family child day
713 care home, as defined by law, registered or licensed with the
714 Department of Children and Families shall constitute a valid
715 residential use for purposes of any local zoning regulations,
716 and no such regulation shall require the owner or operator of
717 such family child day care home to obtain any special exemption
718 or use permit or waiver, or to pay any special fee in excess of
719 \$50, to operate in an area zoned for residential use.

720 Section 12. Paragraph (j) of subsection (7) of section
721 212.08, Florida Statutes, is amended to read:

722 212.08 Sales, rental, use, consumption, distribution, and
723 storage tax; specified exemptions.—The sale at retail, the
724 rental, the use, the consumption, the distribution, and the
725 storage to be used or consumed in this state of the following

581-02721-26 20261690c2

726 are hereby specifically exempt from the tax imposed by this
727 chapter.

728 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
729 entity by this chapter do not inure to any transaction that is
730 otherwise taxable under this chapter when payment is made by a
731 representative or employee of the entity by any means,
732 including, but not limited to, cash, check, or credit card, even
733 when that representative or employee is subsequently reimbursed
734 by the entity. In addition, exemptions provided to any entity by
735 this subsection do not inure to any transaction that is
736 otherwise taxable under this chapter unless the entity has
737 obtained a sales tax exemption certificate from the department
738 or the entity obtains or provides other documentation as
739 required by the department. Eligible purchases or leases made
740 with such a certificate must be in strict compliance with this
741 subsection and departmental rules, and any person who makes an
742 exempt purchase with a certificate that is not in strict
743 compliance with this subsection and the rules is liable for and
744 shall pay the tax. The department may adopt rules to administer
745 this subsection.

746 (j) *Household fuels*.—Also exempt from payment of the tax
747 imposed by this chapter are sales of utilities to residential
748 households or owners of residential models in this state by
749 utility companies who pay the gross receipts tax imposed under
750 s. 203.01, and sales of fuel to residential households or owners
751 of residential models, including oil, kerosene, liquefied
752 petroleum gas, coal, wood, and other fuel products used in the
753 household or residential model for the purposes of heating,
754 cooking, lighting, and refrigeration, regardless of whether such

581-02721-26

20261690c2

755 sales of utilities and fuels are separately metered and billed
 756 direct to the residents or are metered and billed to the
 757 landlord. If any part of the utility or fuel is used for a
 758 nonexempt purpose, the entire sale is taxable. The landlord
 759 shall provide a separate meter for nonexempt utility or fuel
 760 consumption. For the purposes of this paragraph, licensed family
 761 child day care homes shall also be exempt.

762 Section 13. Subsections (3), (8), (9), and (11) of section
 763 402.302, Florida Statutes, are amended to read:

764 402.302 Definitions.—As used in this chapter, the term:

765 (3) "Child care personnel" means all owners, operators,
 766 employees, and volunteers working in a child care facility. The
 767 term does not include persons who work in a child care facility
 768 after hours when children are not present or parents of children
 769 in a child care facility. For purposes of screening, the term
 770 includes any member, over the age of 12 years, of a child care
 771 facility operator's family, or person, over the age of 12 years,
 772 residing with a child care facility operator if the child care
 773 facility is located in or adjacent to the home of the operator
 774 or if the family member of, or person residing with, the child
 775 care facility operator has any direct contact with the children
 776 in the facility during its hours of operation. Members of the
 777 operator's family or persons residing with the operator who are
 778 between the ages of 12 years and 18 years are not required to be
 779 fingerprinted but must be screened for delinquency records. For
 780 purposes of screening, the term also includes persons who work
 781 in child care programs that provide care for children 15 hours
 782 or more each week in public or nonpublic schools, family child
 783 day care homes, membership organizations under s. 402.301, or

Page 27 of 48

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581-02721-26

20261690c2

784 programs otherwise exempted under s. 402.316. The term does not
 785 include public or nonpublic school personnel who are providing
 786 care during regular school hours, or after hours for activities
 787 related to a school's program for grades kindergarten through
 788 12. A volunteer who assists on an intermittent basis for less
 789 than 10 hours per month is not included in the term "personnel"
 790 for the purposes of screening and training if a person who meets
 791 the screening requirement of s. 402.305(2) is always present and
 792 has the volunteer in his or her line of sight. Students who
 793 observe and participate in a child care facility as a part of
 794 their required coursework are not considered child care
 795 personnel, provided such observation and participation are on an
 796 intermittent basis and a person who meets the screening
 797 requirement of s. 402.305(2) is always present and has the
 798 student in his or her line of sight.

799 (8) "Family child day care home" means an occupied
 800 residence in which child care is regularly provided for children
 801 from at least two unrelated families and which receives a
 802 payment, fee, or grant for any of the children receiving care,
 803 whether or not operated for profit. Household children under 13
 804 years of age, when on the premises of the family child day care
 805 home or on a field trip with children enrolled in child care,
 806 shall be included in the overall capacity of the licensed home.
 807 A family child day care home shall be allowed to provide care
 808 for one of the following groups of children, which shall include
 809 household children under 13 years of age:

810 (a) A maximum of four children from birth to 12 months of
 811 age.

812 (b) A maximum of three children from birth to 12 months of

Page 28 of 48

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581-02721-26 20261690c2

813 age, and other children, for a maximum total of six children.

814 (c) A maximum of six preschool children if all are older
815 than 12 months of age.

816 (d) A maximum of 10 children if no more than 5 are
817 preschool age and, of those 5, no more than 2 are under 12
818 months of age.

819 (9) "Household children" means children who are related by
820 blood, marriage, or legal adoption to, or who are the legal
821 wards of, the family child day care home operator, the large
822 family child care home operator, or an adult household member
823 who permanently or temporarily resides in the home. Supervision
824 of the operator's household children shall be left to the
825 discretion of the operator unless those children receive
826 subsidized child care through the school readiness program
827 pursuant to s. 1002.92 to be in the home.

828 (11) "Large family child care home" means an occupied
829 residence in which child care is regularly provided for children
830 from at least two unrelated families, which receives a payment,
831 fee, or grant for any of the children receiving care, whether or
832 not operated for profit, and which has at least two full-time
833 child care personnel on the premises during the hours of
834 operation. One of the two full-time child care personnel must be
835 the owner or occupant of the residence. A large family child
836 care home must first have operated as a licensed family child
837 ~~day~~ care home for 2 years, with an operator who has had a child
838 development associate credential or its equivalent for 1 year,
839 before seeking licensure as a large family child care home.
840 Household children under 13 years of age, when on the premises
841 of the large family child care home or on a field trip with

581-02721-26 20261690c2

842 children enrolled in child care, shall be included in the
843 overall capacity of the licensed home. A large family child care
844 home shall be allowed to provide care for one of the following
845 groups of children, which shall include household children under
846 13 years of age:

847 (a) A maximum of 8 children from birth to 24 months of age.

848 (b) A maximum of 12 children, with no more than 4 children
849 under 24 months of age.

850 Section 14. Paragraph (a) of subsection (17) of section
851 402.305, Florida Statutes, are amended to read:

852 402.305 Licensing standards; child care facilities.—

853 (17) TRANSFER OF OWNERSHIP.—

854 (a) One week prior to the transfer of ownership of a child
855 care facility or family child day care home, the transferor
856 shall notify the parent or caretaker of each child of the
857 impending transfer.

858 Section 15. Subsections (1), (2), and (3) of section
859 402.309, Florida Statutes, are amended to read:

860 402.309 Provisional license or registration.—

861 (1) The local licensing agency or the department, whichever
862 is authorized to license child care facilities in a county, may
863 issue a provisional license for child care facilities, family
864 child day care homes, or large family child care homes, or a
865 provisional registration for family child day care homes to
866 applicants for an initial license or registration or to
867 licensees or registrants seeking a renewal who are unable to
868 meet all the standards provided for in ss. 402.301-402.319.

869 (2) A provisional license or registration may not be issued
870 unless the operator or owner makes adequate provisions for the

581-02721-26

20261690c2

871 health and safety of the child. A provisional license may be
 872 issued for a child care facility if all of the screening
 873 materials have been timely submitted. A provisional license or
 874 registration may not be issued unless the child care facility,
 875 family child day care home, or large family child care home is
 876 in compliance with the requirements for screening of child care
 877 personnel in ss. 402.305, 402.3055, 402.313, and 402.3131,
 878 respectively.

879 (3) Notwithstanding subsection (2), a local licensing
 880 agency or the department, whichever is authorized to license
 881 child care facilities in a county, must issue a provisional
 882 license or registration if the operator or owner:

883 (a) Is applying for an initial license or registration for
 884 a child care facility, a family child day care home, or a large
 885 family child care home;

886 (b) Has made adequate provisions for the health and safety
 887 of the child; and

888 (c) Provides evidence that he or she has completed, within
 889 the previous 6 months, training pursuant to United States
 890 Department of Defense Instruction 6060.02 and background
 891 screening by the United States Department of Defense pursuant to
 892 34 U.S.C. s. 20351 and 32 C.F.R. part 86 and received a
 893 favorable suitability and fitness determination.

894 Section 16. Paragraph (d) of subsection (1) and subsection
 895 (4) of section 402.310, Florida Statutes, are amended to read:

896 402.310 Disciplinary actions; hearings upon denial,
 897 suspension, or revocation of license or registration;
 898 administrative fines.—

899 (1)

Page 31 of 48

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581-02721-26

20261690c2

900 (d) The disciplinary sanctions ~~set forth~~ in this section
 901 apply to licensed child care facilities, licensed large family
 902 child care homes, and licensed or registered family child day
 903 care homes.

904 (4) An applicant, registrant, or licensee shall have the
 905 right to appeal a decision of the local licensing agency to a
 906 representative of the department. Any required hearing shall be
 907 held in the county in which the child care facility, family
 908 child day care home, or large family child care home is being
 909 operated or is to be established. The hearing shall be conducted
 910 in accordance with the provisions of chapter 120.

911 Section 17. Subsection (1) and paragraph (a) of subsection
 912 (2) of section 402.3115, Florida Statutes, are amended to read:

913 402.3115 Elimination of duplicative and unnecessary
 914 inspections; abbreviated inspections.—

915 (1) The Department of Children and Families and local
 916 governmental agencies that license child care facilities shall
 917 develop and implement a plan to eliminate duplicative and
 918 unnecessary inspections of child care facilities, family child
 919 ~~day~~ care homes, and large family child care homes.

920 (2)(a) The department and the local governmental agencies
 921 shall develop and implement an abbreviated inspection plan for
 922 child care facilities, family child day care homes, and large
 923 family child care homes that meet all of the following
 924 conditions:

- 925 1. Have been licensed for at least 2 consecutive years.
- 926 2. Have not had a Class 1 deficiency, as defined by rule,
 927 for at least 2 consecutive years.
- 928 3. Have not had more than three of the same Class 2

Page 32 of 48

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581-02721-26 20261690c2

929 deficiencies, as defined by rule, for at least 2 consecutive
 930 years.

931 4. Have received at least two full onsite renewal
 932 inspections in the most recent 2 years.

933 5. Do not have any current uncorrected violations.

934 6. Do not have any open regulatory complaints or active
 935 child protective services investigations.

936 Section 18. Section 402.312, Florida Statutes, is amended
 937 to read:

938 402.312 License required; injunctive relief.—

939 (1) The operation of a child care facility without a
 940 license, a family child day care home without a license or
 941 registration, or a large family child care home without a
 942 license is prohibited. If the department or the local licensing
 943 agency discovers that a child care facility is being operated
 944 without a license, a family child day care home is being
 945 operated without a license or registration, or a large family
 946 child care home is being operated without a license, the
 947 department or local licensing agency is authorized to seek an
 948 injunction in the circuit court where the facility is located to
 949 enjoin continued operation of such facility, family child day
 950 care home, or large family child care home. When the court is
 951 closed for the transaction of judicial business, the department
 952 or local licensing agency is authorized to seek an emergency
 953 injunction to enjoin continued operation of such unlicensed
 954 facility, unregistered or unlicensed family child day care home,
 955 or unlicensed large family child care home, which injunction
 956 shall be continued, modified, or revoked on the next day of
 957 judicial business.

581-02721-26 20261690c2

958 (2) Other grounds for seeking an injunction to close a
 959 child care facility, family child day care home, or a large
 960 family child care home are that:

961 (a) There is any violation of the standards applied under
 962 ss. 402.301-402.319 which threatens harm to any child in the
 963 child care facility, a family child day care home, or large
 964 family child care home.

965 (b) A licensee or registrant has repeatedly violated the
 966 standards provided for under ss. 402.301-402.319.

967 (c) A child care facility, family child day care home, or
 968 large family child care home continues to have children in
 969 attendance after the closing date established by the department
 970 or the local licensing agency.

971 (3) The department or local licensing agency may impose an
 972 administrative fine on any child care facility, family child day
 973 care home, or large family child care home operating without a
 974 license or registration, consistent with ~~the provisions of s.~~
 975 402.310.

976 Section 19. Subsection (3) of section 402.315, Florida
 977 Statutes, is amended to read:

978 402.315 Funding; license fees.—

979 (3) The department shall collect a fee for any license it
 980 issues for a child care facility, family child day care home, or
 981 large family child care home pursuant to ss. 402.305, 402.313,
 982 and 402.3131.

983 (a) For a child care facility licensed pursuant to s.
 984 402.305, such fee shall be \$1 per child, based on the licensed
 985 capacity of the facility, except that the minimum fee shall be
 986 \$25 per facility and the maximum fee shall be \$100 per facility.

581-02721-26 20261690c2

987 (b) For a family child day care home registered pursuant to
 988 s. 402.313, such fee shall be \$25.

989 (c) For a family child day care home licensed pursuant to
 990 s. 402.313, such fee shall be \$50.

991 (d) For a large family child care home licensed pursuant to
 992 s. 402.3131, such fee shall be \$60.

993 Section 20. Section 402.318, Florida Statutes, is amended
 994 to read:

995 402.318 Advertisement.—A person, as defined in s. 1.01(3),
 996 may not advertise a child care facility, family child day care
 997 home, or large family child care home without including within
 998 such advertisement the state or local agency license number or
 999 registration number of such facility or home. Violation of this
 1000 section is a misdemeanor of the first degree, punishable as
 1001 provided in s. 775.082 or s. 775.083.

1002 Section 21. Section 402.319, Florida Statutes, is amended
 1003 to read:

1004 402.319 Penalties.—

1005 (1) It is a misdemeanor of the first degree, punishable as
 1006 provided in s. 775.082 or s. 775.083, for any person knowingly
 1007 to:

1008 (a) Fail, by false statement, misrepresentation,
 1009 impersonation, or other fraudulent means, to disclose in any
 1010 application for voluntary or paid employment or licensure
 1011 regulated under ss. 402.301-402.318 all information required
 1012 under those sections or a material fact used in making a
 1013 determination as to such person's qualifications to be child
 1014 care personnel, as defined in s. 402.302, in a child care
 1015 facility, family child day care home, or other child care

Page 35 of 48

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581-02721-26 20261690c2

1016 program.

1017 (b) Operate or attempt to operate a child care facility
 1018 without having procured a license as required by this act.

1019 (c) Operate or attempt to operate a family child day care
 1020 home without a license or without registering with the
 1021 department, whichever is applicable.

1022 (d) Operate or attempt to operate a child care facility or
 1023 family child day care home under a license that is suspended,
 1024 revoked, or terminated.

1025 (e) Misrepresent, by act or omission, a child care facility
 1026 or family child day care home to be duly licensed pursuant to
 1027 this act without being so licensed.

1028 (f) Make any other misrepresentation, by act or omission,
 1029 regarding the licensure or operation of a child care facility or
 1030 family child day care home to a parent or guardian who has a
 1031 child placed in the facility or is inquiring as to placing a
 1032 child in the facility, or to a representative of the licensing
 1033 authority, or to a representative of a law enforcement agency,
 1034 including, but not limited to, any misrepresentation as to:

1035 1. The number of children at the child care facility or the
 1036 family child day care home;

1037 2. The part of the child care facility or family child day
 1038 care home designated for child care;

1039 3. The qualifications or credentials of child care
 1040 personnel;

1041 4. Whether a family child day care home or child care
 1042 facility complies with the screening requirements of s. 402.305;
 1043 or

1044 5. Whether child care personnel have the training as

Page 36 of 48

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581-02721-26 20261690c2

1045 required by s. 402.305.

1046 (2) If any child care personnel makes any misrepresentation
1047 in violation of this section to a parent or guardian who has
1048 placed a child in the child care facility or family child day
1049 care home, and the parent or guardian relied upon the
1050 misrepresentation, and the child suffers great bodily harm,
1051 permanent disfigurement, permanent disability, or death as a
1052 result of an intentional act or negligence by the child care
1053 personnel, then the child care personnel commits a felony of the
1054 second degree, punishable as provided in s. 775.082, s. 775.083,
1055 or s. 775.084.

1056 (3) Each child care facility, family child day care home,
1057 and large family child care home shall annually submit an
1058 affidavit of compliance with s. 39.201.

1059 Section 22. Paragraph (c) of subsection (2) of section
1060 409.988, Florida Statutes, is amended to read:

1061 409.988 Community-based care lead agency duties; general
1062 provisions.—

1063 (2) LICENSURE.—

1064 (c) Substitute care providers who are licensed under s.
1065 409.175 and who have contracted with a lead agency are also
1066 authorized to provide registered or licensed family child day
1067 care under s. 402.313 if such care is consistent with federal
1068 law and if the home has met the requirements of s. 402.313.

1069 Section 23. Paragraph (b) of subsection (8) of section
1070 411.203, Florida Statutes, is amended to read:

1071 411.203 Continuum of comprehensive services.—The Department
1072 of Education and the Department of Health shall utilize the
1073 continuum of prevention and early assistance services for high-

581-02721-26 20261690c2

1074 risk pregnant women and for high-risk and handicapped children
1075 and their families, as outlined in this section, as a basis for
1076 the intraagency and interagency program coordination,
1077 monitoring, and analysis required in this chapter. The continuum
1078 shall be the guide for the comprehensive statewide approach for
1079 services for high-risk pregnant women and for high-risk and
1080 handicapped children and their families, and may be expanded or
1081 reduced as necessary for the enhancement of those services.

1082 Expansion or reduction of the continuum shall be determined by
1083 intraagency or interagency findings and agreement, whichever is
1084 applicable. Implementation of the continuum shall be based upon
1085 applicable eligibility criteria, availability of resources, and
1086 interagency prioritization when programs impact both agencies,
1087 or upon single agency prioritization when programs impact only
1088 one agency. The continuum shall include, but not be limited to:

1089 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
1090 OF HIGH-RISK CHILDREN.—

1091 (b) Child care and early childhood programs, including, but
1092 not limited to, licensed child care facilities, family child day
1093 care homes, therapeutic child care, Head Start, and preschool
1094 programs in public and private schools.

1095 Section 24. Paragraph (a) of subsection (3) of section
1096 1002.55, Florida Statutes, is amended to read:

1097 1002.55 School-year prekindergarten program delivered by
1098 private prekindergarten providers.—

1099 (3) To be eligible to deliver the prekindergarten program,
1100 a private prekindergarten provider must meet each of the
1101 following requirements:

1102 (a) The private prekindergarten provider must be a child

581-02721-26 20261690c2

1103 care facility licensed under s. 402.305, family child ~~day~~ care
 1104 home licensed under s. 402.313, large family child care home
 1105 licensed under s. 402.3131, nonpublic school exempt from
 1106 licensure under s. 402.3025(2), faith-based child care provider
 1107 exempt from licensure under s. 402.316, child development
 1108 program that is accredited by a national accrediting body and
 1109 operates on a military installation that is certified by the
 1110 United States Department of Defense, or private prekindergarten
 1111 provider that has been issued a provisional license under s.
 1112 402.309. A private prekindergarten provider may not deliver the
 1113 program while holding a probation-status license under s.
 1114 402.310.

1115 Section 25. Paragraph (u) of subsection (2) of section
 1116 1002.82, Florida Statutes, is amended to read:

1117 1002.82 Department of Education; powers and duties.—

1118 (2) The department shall:

1119 (u) Administer a statewide toll-free Warm-Line to provide
 1120 assistance and consultation to child care facilities and family
 1121 child ~~day~~ care homes regarding health, developmental,
 1122 disability, and special needs issues of the children they are
 1123 serving, particularly children with disabilities and other
 1124 special needs. The department shall:

1125 1. Annually inform child care facilities and family child
 1126 ~~day~~ care homes of the availability of this service through the
 1127 child care resource and referral network under s. 1002.92.

1128 2. Expand or contract for the expansion of the Warm-Line to
 1129 maintain at least one Warm-Line in each early learning coalition
 1130 service area.

1131 Section 26. Paragraph (j) of subsection (4) of section

581-02721-26 20261690c2

1132 1002.83, Florida Statutes, is amended to read:

1133 1002.83 Early learning coalitions.—

1134 (4) Each early learning coalition must include the
 1135 following member positions; however, in a multicounty coalition,
 1136 each ex officio member position may be filled by multiple
 1137 nonvoting members but no more than one voting member shall be
 1138 seated per member position. If an early learning coalition has
 1139 more than one member representing the same entity, only one of
 1140 such members may serve as a voting member:

1141 (j) A representative of private for-profit child care
 1142 providers, including private for-profit family child ~~day~~ care
 1143 homes.

1144 Section 27. Subsection (4) of section 1002.84, Florida
 1145 Statutes, is amended to read:

1146 1002.84 Early learning coalitions; school readiness powers
 1147 and duties.—Each early learning coalition shall:

1148 (4) Establish a regional Warm-Line as directed by the
 1149 department pursuant to s. 1002.82(2)(u). Regional Warm-Line
 1150 staff shall provide onsite technical assistance, when requested,
 1151 to assist child care facilities and family child ~~day~~ care homes
 1152 with inquiries relating to the strategies, curriculum, and
 1153 environmental adaptations the child care facilities and family
 1154 child ~~day~~ care homes may need as they serve children with
 1155 disabilities and other special needs.

1156 Section 28. Paragraphs (a) and (c) of subsection (1) of
 1157 section 1002.88, Florida Statutes, are amended to read:

1158 1002.88 School readiness program provider standards;
 1159 eligibility to deliver the school readiness program.—

1160 (1) To be eligible to deliver the school readiness program,

581-02721-26 20261690c2

1161 a school readiness program provider must:

1162 (a) Be a child care facility licensed under s. 402.305, a
 1163 family child day care home licensed or registered under s.
 1164 402.313, a large family child care home licensed under s.
 1165 402.3131, a public school or nonpublic school exempt from
 1166 licensure under s. 402.3025, a faith-based child care provider
 1167 exempt from licensure under s. 402.316, a before-school or
 1168 after-school program described in s. 402.305(1)(c), a child
 1169 development program that is accredited by a national accrediting
 1170 body and operates on a military installation that is certified
 1171 by the United States Department of Defense, an informal child
 1172 care provider to the extent authorized in the state's Child Care
 1173 and Development Fund Plan as approved by the United States
 1174 Department of Health and Human Services pursuant to 45 C.F.R. s.
 1175 98.18, or a provider who has been issued a provisional license
 1176 pursuant to s. 402.309. A provider may not deliver the program
 1177 while holding a probation-status license under s. 402.310.

1178 (c) Provide basic health and safety of its premises and
 1179 facilities and compliance with requirements for age-appropriate
 1180 immunizations of children enrolled in the school readiness
 1181 program.

1182 1. For a provider that is licensed, compliance with s.
 1183 402.305, s. 402.3131, or s. 402.313 and this subsection, as
 1184 verified pursuant to s. 402.311, satisfies this requirement.

1185 2. For a provider that is a registered family child day
 1186 care home or is not subject to licensure or registration by the
 1187 Department of Children and Families, compliance with this
 1188 subsection, as verified pursuant to s. 402.311, satisfies this
 1189 requirement. Upon verification pursuant to s. 402.311, the

581-02721-26 20261690c2

1190 provider shall annually post the health and safety checklist
 1191 adopted by the department prominently on its premises in plain
 1192 sight for visitors and parents and shall annually submit the
 1193 checklist to its local early learning coalition.

1194 3. For a child development program that is accredited by a
 1195 national accrediting body and operates on a military
 1196 installation that is certified by the United States Department
 1197 of Defense, the submission and verification of annual
 1198 inspections pursuant to United States Department of Defense
 1199 Instructions 6060.2 and 1402.05 satisfies this requirement.

1200 Section 29. Paragraph (c) of subsection (2) of section
 1201 1002.895, Florida Statutes, is amended to read:

1202 1002.895 Market rate schedule.—The school readiness program
 1203 market rate schedule shall be implemented as follows:

1204 (2) The market rate schedule must differentiate rates by
 1205 provider type, including, but not limited to:

1206 (c) Family child day care homes licensed or registered
 1207 under s. 402.313.

1208 Section 30. Paragraph (a) of subsection (3) and subsection
 1209 (4) of section 1002.92, Florida Statutes, are amended to read:

1210 1002.92 Child care and early childhood resource and
 1211 referral.—

1212 (3) Child care resource and referral agencies shall provide
 1213 the following services:

1214 (a) Identification of existing public and private child
 1215 care and early childhood education services, including child
 1216 care services by public and private employers, and the
 1217 development of an early learning provider performance profile of
 1218 those services through the single statewide information system

581-02721-26 20261690c2

1219 developed by the department under s. 1002.82(2)(q). These
 1220 services may include family ~~child day~~ care, public and private
 1221 child care programs, the Voluntary Prekindergarten Education
 1222 Program, Head Start, the school readiness program, special
 1223 education programs for prekindergarten children with
 1224 disabilities, services for children with developmental
 1225 disabilities, full-time and part-time programs, before-school
 1226 and after-school programs, and vacation care programs. The early
 1227 learning provider performance profile shall include, but not be
 1228 limited to:

- 1229 1. Type of program.
- 1230 2. Hours of service.
- 1231 3. Ages of children served.
- 1232 4. Number of children served.
- 1233 5. Program information.
- 1234 6. Fees and eligibility for services.
- 1235 7. Availability of transportation.
- 1236 8. Participation in the Child Care Food Program, if
 1237 applicable.
- 1238 9. A link to licensing inspection reports, if applicable.
- 1239 10. The components of the Voluntary Prekindergarten
 1240 Education Program performance metric calculated under s. 1002.68
 1241 which must consist of the program assessment composite score,
 1242 learning gains score, achievement score, and its designations,
 1243 if applicable.
- 1244 11. The school readiness program assessment composite score
 1245 and program assessment care level composite score results
 1246 delineated by infant classrooms, toddler classrooms, and
 1247 preschool classrooms results under s. 1002.82, if applicable.

Page 43 of 48

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581-02721-26 20261690c2

1248 12. Gold Seal Quality Care designation under s. 1002.945,
 1249 if applicable.

1250 13. Indication of whether the provider implements a
 1251 curriculum approved by the department and the name of the
 1252 curriculum, if applicable.

1253 14. Participation in school readiness child assessment
 1254 under s. 1002.82.

1255 (4) A child care facility licensed under s. 402.305 and
 1256 licensed and registered family ~~child day~~ care homes must provide
 1257 the statewide child care and resource and referral network with
 1258 the following information annually:

- 1259 (a) Type of program.
- 1260 (b) Hours of service.
- 1261 (c) Ages of children served.
- 1262 (d) Fees and eligibility for services.

1263 Section 31. Subsection (2) of section 1002.93, Florida
 1264 Statutes, is amended to read:
 1265 1002.93 School readiness program transportation services.—
 1266 (2) The transportation servicers may only provide
 1267 transportation to each child participating in the school
 1268 readiness program to the extent that such transportation is
 1269 necessary to provide child care opportunities that otherwise
 1270 would not be available to a child whose home is more than a
 1271 reasonable walking distance from the nearest child care facility
 1272 or family ~~child day~~ care home.

1273 Section 32. Paragraph (b) of subsection (1), paragraphs (a)
 1274 and (c) of subsection (3), and subsection (4) of section
 1275 1002.945, Florida Statutes, are amended to read:
 1276 1002.945 Gold Seal Quality Care Program.—

Page 44 of 48

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581-02721-26

20261690c2

- 1277 (1)
- 1278 (b) A child care facility, large family child care home, or
- 1279 family child day care home that is accredited by an accrediting
- 1280 association approved by the Department of Education under
- 1281 subsection (3) and meets all other requirements shall, upon
- 1282 application to the department, receive a separate "Gold Seal
- 1283 Quality Care" designation.
- 1284 (3) (a) In order to be approved by the Department of
- 1285 Education for participation in the Gold Seal Quality Care
- 1286 Program, an accrediting association must apply to the department
- 1287 and demonstrate that it:
- 1288 1. Is a recognized accrediting association.
- 1289 2. Has accrediting standards that substantially meet or
- 1290 exceed the Gold Seal Quality Care standards adopted by the state
- 1291 board under subsection (2).
- 1292 3. Is a registered corporation with the Department of
- 1293 State.
- 1294 4. Can provide evidence that the process for accreditation
- 1295 has, at a minimum, all of the following components:
- 1296 a. Clearly defined prerequisites that a child care provider
- 1297 must meet before beginning the accreditation process. However,
- 1298 accreditation may not be granted to a child care facility, large
- 1299 family child care home, or family child day care home before the
- 1300 site is operational and is attended by children.
- 1301 b. Procedures for completion of a self-study and
- 1302 comprehensive onsite verification process for each classroom
- 1303 that documents compliance with accrediting standards.
- 1304 c. A training process for accreditation verifiers to ensure
- 1305 inter-rater reliability.

Page 45 of 48

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581-02721-26

20261690c2

- 1306 d. Ongoing compliance procedures that include requiring
- 1307 each accredited child care facility, large family child care
- 1308 home, and family child day care home to file an annual report
- 1309 with the accrediting association and risk-based, onsite auditing
- 1310 protocols for accredited child care facilities, large family
- 1311 child care homes, and family child day care homes.
- 1312 e. Procedures for the revocation of accreditation due to
- 1313 failure to maintain accrediting standards as evidenced by sub-
- 1314 subparagraph d. or any other relevant information received by
- 1315 the accrediting association.
- 1316 f. Accreditation renewal procedures that include an onsite
- 1317 verification occurring at least every 5 years.
- 1318 g. A process for verifying continued accreditation
- 1319 compliance in the event of a transfer of ownership of
- 1320 facilities.
- 1321 h. A process to communicate issues that arise during the
- 1322 accreditation period with governmental entities that have a
- 1323 vested interest in the Gold Seal Quality Care Program, including
- 1324 the Department of Education, the Department of Children and
- 1325 Families, the Department of Health, local licensing entities if
- 1326 applicable, and the early learning coalition.
- 1327 (c) If an accrediting association has granted accreditation
- 1328 to a child care facility, large family child care home, or
- 1329 family child day care under fraudulent terms or failed to
- 1330 conduct onsite verifications, the accrediting association shall
- 1331 be liable for the repayment of any rate differentials paid under
- 1332 subsection (6).
- 1333 (4) In order to obtain and maintain a designation as a Gold
- 1334 Seal Quality Care provider, a child care facility, large family

Page 46 of 48

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581-02721-26

20261690c2

1335 child care home, or family child ~~day~~ care home must meet the
 1336 following additional criteria:

1337 (a) The child care provider must not have had any class I
 1338 violations, as defined by rule of the Department of Children and
 1339 Families, within the 2 years preceding its application for
 1340 designation as a Gold Seal Quality Care provider. Commission of
 1341 a class I violation shall be grounds for termination of the
 1342 designation as a Gold Seal Quality Care provider until the
 1343 provider has no class I violations for a period of 2 years.

1344 (b) The child care provider must not have had three or more
 1345 of the same class II violations, as defined by rule of the
 1346 Department of Children and Families, within the 2 years
 1347 preceding its application for designation as a Gold Seal Quality
 1348 Care provider. Commission of three or more of the same class II
 1349 violations within a 2-year period shall be grounds for
 1350 termination of the designation as a Gold Seal Quality Care
 1351 provider until the provider has no class II violations that are
 1352 the same for a period of 1 year.

1353 (c) The child care provider must not have been cited for
 1354 the same class III violation, as defined by rule of the
 1355 Department of Children and Families, three or more times and
 1356 failed to correct the violation within 1 year after the date of
 1357 each citation, within the 2 years preceding its application for
 1358 designation as a Gold Seal Quality Care provider. Commission of
 1359 the same class III violation three or more times and failure to
 1360 correct within the required time during a 2-year period may be
 1361 grounds for termination of the designation as a Gold Seal
 1362 Quality Care provider until the provider has no class III
 1363 violations for a period of 1 year.

Page 47 of 48

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581-02721-26

20261690c2

1364 (d) Notwithstanding paragraph (a), if the Department of
 1365 Education determines through a formal process that a provider
 1366 has been in business for at least 5 years and has no other class
 1367 I violations recorded, the department may recommend to the state
 1368 board that the provider maintain its Gold Seal Quality Care
 1369 status. The state board's determination regarding such
 1370 provider's status is final.

1371 Section 33. This act shall take effect July 1, 2026.

Page 48 of 48

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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 Appropriations

BILL: CS/SB 1756

INTRODUCER: Health Policy Committee and Senator Yarborough

SUBJECT: Medical Freedom

DATE: February 23, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Smith</u>	<u>Brown</u>	<u>HP</u>	<u>Fav/CS</u>
2.	<u>Gerbrandt</u>	<u>Sadberry</u>	<u>AP</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1756 creates a statutory nonmedical exemption from immunization requirements for a child attending a K-12 school if the administration of a vaccine conflicts with the parent’s conscience. The bill requires the Department of Health to make the nonmedical exemption form available on its website.

The bill requires health care practitioners and paramedics who administer vaccines to a child to provide the child’s parent or guardian with certain informational materials before a vaccine may be administered. A parent’s or guardian’s signature must be obtained to document receipt of the information. The bill also requires that when more than one vaccine is to be administered to a child, the practitioner must discuss the parent’s or guardian’s options for the timing of the vaccinations and may, at the parent’s or guardian’s request, administer the vaccines to the child over multiple encounters.

The bill authorizes pharmacists to provide ivermectin¹ as a behind-the-counter medication without a prescription to a person 18 years of age or older. Before such dispensing, the bill requires a pharmacist to provide the person with written information regarding indications and

¹ Prescription ivermectin tablets are approved for treating certain parasitic infections. Some topical forms of ivermectin are approved to treat external parasitic infestations and rosacea. A topical lotion for head lice is available without a prescription. Ivermectin products are also used to prevent heartworm disease and to treat certain internal and external parasites in animals. U.S. Food and Drug Administration, *Ivermectin and COVID-19* (Apr. 5, 2024), <https://www.fda.gov/consumers/consumer-updates/ivermectin-and-covid-19> (last visited Jan. 23, 2026).

contraindications, dosage, and the need to seek follow-up care from the person's primary care physician. The bill grants immunity from civil or criminal liability or disciplinary action under Florida law for pharmacists acting in accordance with these provisions.

Additionally, the bill grants immunity from civil or criminal liability and for disciplinary action under Florida law to health care practitioners licensed under chs. 458, 459, or 464, F.S., whose license includes prescribing authority, for prescribing or administering ivermectin to an adult, in good faith, in accordance with the applicable practice act and pertinent rules.

Finally, the bill clarifies that during a declared public health emergency, the State Surgeon General may not order an individual to be vaccinated.

The bill has an insignificant fiscal impact on state expenditures that can be absorbed within existing resources. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026. The provisions requiring a parent's signature documenting the receipt of informational materials would not go into effect until 30 days after the Board of Medicine and the Board of Osteopathic Medicine adopt the materials by joint rule.

II. Present Situation:

Florida Department of Health Immunization² Guidelines

Duty to Immunize All Children in Florida

The Florida Department of Health (DOH) is charged with ensuring that all children in this state are immunized against vaccine-preventable diseases.³ The DOH is responsible for adopting rules governing the immunization of school children, as well as the testing for and control of preventable communicable diseases. The DOH establishes and maintains its own immunization schedule through the *Immunization Guidelines for Florida Schools, Childcare Facilities, and Family Daycare Homes* ("DOH Immunization Guidelines"), which have remained unchanged since their adoption in 2013.⁴

Florida School-entry Vaccination Requirements

Section 1003.22, F.S., requires immunizations for certain preventable communicable diseases as a condition of admittance to or attendance in Florida public and private schools (K–12) and for initial entrance into a Florida school. The statute requires immunization against the following diseases, several of which are typically provided in combined vaccine formulations:

² Immunization is defined as "The process of being made immune or resistant to an infectious disease, typically by the administration of a vaccine. It implies that a vaccine will trigger an immune response." U.S. Centers for Disease Control and Prevention, *Immunization Glossary of Terms*, <https://www.cdc.gov/vaccines/glossary/index.html> (last visited Jan. 23, 2026).

³ Section 381.003(1)(e), F.S.

⁴ Florida Administrative Code & Florida Administrative Register, Reference: Ref-02342 (adopting Fla. Admin. Code R. 64D-3.046, *Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes*; Form DH 150-615, *Revised Form 150-615*), <https://flrules.org/Gateway/reference.asp?No=Ref-02342> (last visited Jan. 23, 2026).

- DTaP: Diphtheria, Tetanus, and acellular Pertussis (whooping cough);⁵
- Polio;⁶
- MMR: Measles, mumps, and rubella.⁷

The statute authorizes the DOH to determine additional communicable diseases for which immunization is required.⁸ Pursuant to this authority, the DOH currently requires vaccinations against the following diseases by rule:

- Haemophilus influenzae type b (Hib);⁹
- Hepatitis B (Hep B);¹⁰
- Varicella (chickenpox);¹¹ and
- Pneumococcal conjugate.¹²

Immunizations required under s. 1003.22, F.S., and related DOH rule are available at no cost from county health departments.¹³

Eliminating Rule-based Vaccine Mandates

The DOH held a rule workshop on December 12, 2025, in Panama City Beach.¹⁴ At the workshop, draft Proposed Revisions to Rule 64D-3.046 were distributed to attendees. The draft proposed rule eliminated requirements for these four additional vaccinations.¹⁵ At this time, no proposed rule has been formally published, and those four vaccinations are still required.

Florida Requirements Versus Federal Vaccination Recommendations

On January 5, 2026, the U.S. Centers for Disease Control and Prevention (CDC) announced changes to its Recommended Child and Adolescent Immunization Schedule.¹⁶ The CDC

⁵ CDC, *Vaccine Information Statement: DTaP Vaccine*, <https://www.cdc.gov/vaccines/hcp/current-vis/downloads/dtap.pdf> (last visited Jan. 23, 2026).

⁶ CDC, *Vaccine Information Statement: IPV Vaccine*, <https://www.cdc.gov/vaccines/hcp/current-vis/downloads/ipv.pdf> (last visited Jan. 15, 2026).

⁷ CDC, *Vaccine Information Statement: MMR Vaccine*, <https://www.cdc.gov/vaccines/hcp/current-vis/downloads/mmr.pdf> (last visited Jan. 15, 2026).

⁸ Section 1003.22(3), F.S.

⁹ Unrelated to the influenza viruses that cause seasonal flu, Hib is a bacterium that can cause severe respiratory infections (including pneumonia), otitis, and diseases such as meningitis. *Supra* note 2. See also CDC, *Vaccine Information Statement: Hib Vaccine*, <https://www.cdc.gov/vaccines/hcp/current-vis/downloads/hib.pdf> (last visited Jan. 15, 2026).

¹⁰ CDC, *Vaccine Information Statement: Hepatitis B Vaccine (Interim)*, <https://www.cdc.gov/vaccines/hcp/current-vis/downloads/hep-b.pdf> (last visited Jan. 23, 2026).

¹¹ CDC, *Vaccine Information Statement: Varicella (Chickenpox) Vaccine*, <https://www.cdc.gov/vaccines/hcp/current-vis/downloads/varicella.pdf> (last visited Jan. 23, 2026).

¹² CDC, *Vaccine Information Statement: Pneumococcal Conjugate (PCV) Vaccine*, <https://www.cdc.gov/vaccines/hcp/current-vis/downloads/pcv.pdf> (last visited Jan. 23, 2026).

¹³ Section 1003.22(3), F.S.

¹⁴ Dept. of Health, *Notice of Workshop re: Proposed Revisions to Rule 64D-3.046, Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes*, Fla. Admin. Reg. (Dec. 12, 2025) (notice filed in Vol. 51/230); see Rule 64D-3.046, Fla. Admin. Code.

¹⁵ Proposed Revisions to Rule 64D-3.046 as presented at the Dec 12, 2025 Workshop on file with Senate Committee on Health Policy.

¹⁶ The U.S. Department of Health and Human Services (HHS) affirms that routine childhood immunizations recommended by the CDC's Advisory Committee on Immunization Practices (ACIP) are safe and effective, and play a vital role in protecting children from vaccine-preventable diseases. These recommendations form the basis for school and child care

continues to recommend every vaccine under Florida law and current DOH rule for children, except that the Hep B vaccination is now recommended only for certain high-risk groups or populations.¹⁷

Florida School-entry Immunization Requirements; Exemptions

As a condition of attending a public or private school (grades K-12), each child must present to the school either a Florida Certificate of Immunization Form¹⁸ or a Religious Exemption from Immunization Form.¹⁹ The forms are incorporated into DOH rule. Child care facilities²⁰ and family day care homes²¹ are also required, by rule of the Florida Department of Children and Families (DCF), to collect one of these forms for each child they serve.

The Certificate of Immunization Form is prepared by a physician's office or clinic and provides for:

- Part A: Completion of immunizations in accordance with the DOH Immunization Guidelines;
- Part B: A temporary medical exemption for children²² who have commenced a schedule to complete the required immunizations;²³ or

immunization requirements in many states. See U.S. Dep't of Health & Hum. Servs., Fact Sheet: Childhood Immunization Recommendations Remain Strong (Nov. 3, 2022), <https://www.hhs.gov/press-room/fact-sheet-cdc-childhood-immunization-recommendations.html>.

¹⁷ Vaccination recommended for infants born to women who tested positive for the hepatitis B virus or whose status is unknown. U.S. Department of Health and Human Services, *Recommended Childhood Immunization Schedule*, <https://www.hhs.gov/childhood-immunization-schedule/index.html> (last visited Jan. 23, 2026).

¹⁸ Florida Administrative Code & Florida Administrative Register, Reference Material, Ref-02341 (64D-3.046; *DH Form 681—Religious Exemption from Immunization*), <https://flrules.org/Gateway/reference.asp?No=Ref-02341> (last visited Jan. 20, 2026).

¹⁹ Florida Administrative Code & Florida Administrative Register, Reference Material, Ref-02410 (64D-3.046, *DH Form 680—Florida Certification of Immunization*), <https://flrules.org/Gateway/reference.asp?No=Ref-02410> (last visited Jan. 20, 2026).

²⁰ Section 402.305, F.S., requires the Department of Children and Families to establish licensing standards that all licensed child care facilities must meet, including minimum standards relating to immunizations and the maintenance of emergency and health records for all children. Department rule chapter 65C-22, F.A.C., incorporates the *Child Care Facility Handbook*, which in turn references the DOH Immunization Guidelines. The handbook requires child care facilities to obtain a Certificate of Immunization (Form DH 680) or a Religious Exemption from Immunization (Form DH 681) for each child within 30 days of enrollment. See Fla. Admin. Code R. 65C-22.001(8); Fla. Dep't of Children & Fams., *Child Care Facility Handbook*, <https://flrules.org/Gateway/reference.asp?No=Ref-13928> (last visited Jan. 20, 2026).

²¹ Section 402.313, F.S., directs the Department of Children and Families to adopt rules establishing minimum standards for family day care homes. These standards must include health and safety requirements, including provisions for the maintenance of immunization records. Department rule chapter 65C-20, F.A.C., incorporates the *Family Day Care Home and Large Family Child Care Home Handbook*, which references the DOH Immunization Guidelines. The handbook requires the operator to obtain a Certificate of Immunization (Form DH 680) or a Religious Exemption from Immunization (Form DH 681) for each child within 30 days of enrollment. See Fla. Admin. Code R. 65C-20.010(1)(a); Fla. Dep't of Children & Fams., *Family Day Care Home and Large Family Child Care Home Handbook*, <https://flrules.org/Gateway/reference.asp?No=Ref-13928> (last visited Jan. 20, 2026).

²² Children under age 4 are generally granted a temporary medical exemption because they have not received all required vaccine doses required of a kindergartener by that age.

²³ An allopathic, osteopathic, or chiropractic physician can certify a temporary medical exemption pursuant to s. 1003.22(5)(c), F.S. The DOH has indicated that it is not within a chiropractic physician's scope of practice to administer a vaccine to a minor child. Florida Department of Health, *Legislative Bill Analysis: SB 1756* (Jan. 22, 2026) (On file with Senate Committee on Health Policy).

- Part C: A permanent medical exemption for medically contraindicated immunizations. Only a licensed allopathic or osteopathic physician may certify a permanent medical exemption.²⁴

Aside from a 30-day temporary exemption applicable to transferring students, homeless students, dependent children, or students entering the juvenile justice system, the only nonmedical exemption authorized in the Florida Statutes is a religious exemption.

The Religious Exemption from Immunization Form must be signed by a parent or guardian who declares that immunizations conflict with his or her “religious tenets or practices.”²⁵ The DOH Immunization Guidelines currently state the following regarding exemptions that might be sought for other reasons:²⁶

However, the DOH’s draft Proposed Revisions to Rule 64D-3.046 delete “Exemptions for

D. Consistency With Florida Law:

Requests for religious exemption from immunizations should be consistent with section 1003.22, *Florida Statutes*. **Exemptions for personal or philosophical reasons are not permitted under Florida law.**

personal or philosophical reasons are not permitted under Florida law.”²⁷ from the DOH Immunization Guidelines and amend the Religious Exemption from Immunization form to allow a parent to attest that “Immunizations are in conflict with my religious tenets or practices, *which may include a sincerely held moral or ethical belief.*” The current exemption form does not contain this reference to “a sincerely held moral or ethical belief,” nor does Florida law. At this time, no proposed rules have been formally published.

Religious Exemption Form

The DOH Immunization Guidelines require county health department staff to issue the Religious Exemption from Immunization form, which is available electronically in the Florida SHOTS registry. (See “Florida SHOTS Immunization Registry” on pg. 10 of this analysis.) No other information should be solicited from the parent or guardian.²⁸ The form requires the electronic

²⁴ *Supra* note 19.

²⁵ The immunization requirements shall not apply if “the parent of the child objects in writing that the administration of immunizing agents conflicts with his or her religious tenets or practices;” Section 1003.22(5)(a), F.S.

²⁶ Florida Administrative Code & Florida Administrative Register, Reference: Ref-02342 (adopting Fla. Admin. Code R. 64D-3.046, Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes; Form DH 150-615, Revised Form 150-615), <https://flrules.org/Gateway/reference.asp?No=Ref-02342> (last visited Jan. 23, 2026).

²⁷ Proposed Revisions to Rule 64D-3.046 as presented at the Dec 12, 2025 Workshop on file with Senate Committee on Health Policy.

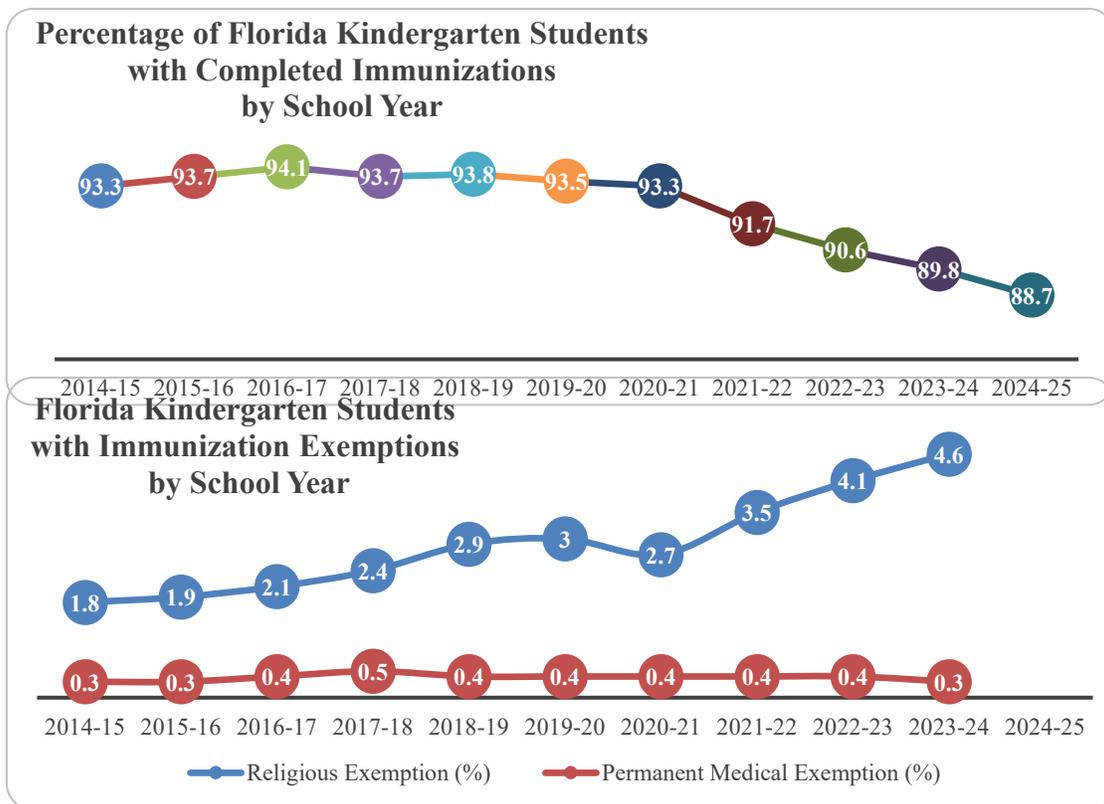
²⁸ Florida Administrative Code & Florida Administrative Register, Reference: Ref-02342 (adopting Fla. Admin. Code R. 64D-3.046, Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes; Form DH 150-615, Revised Form 150-615), <https://flrules.org/Gateway/reference.asp?No=Ref-02342> (last visited Jan. 23, 2026).

signature of the county health department director or administrator.²⁹ The exemption form must be presented to the school, preschool, child care facility, or family day care home where it is to be kept on file in order to identify unimmunized children needing exclusion during an outbreak of a vaccine-preventable disease.

Each public school and private school, including kindergarten, is required to provide to the county health department director or administrator annual reports of compliance with immunization requirements.³⁰ Those reports are generally compiled into statewide data.

Florida Statewide Immunization Completion for Kindergarten with Exemption Data

The following charts show immunization completion, and religious and permanent medical exemption status among children enrolled in public and private kindergarten by school year using the DOH data.^{31, 32}



²⁹ Florida Administrative Code & Florida Administrative Register, Reference Material, Ref-02341 (64D-3.046; DH Form 681—Religious Exemption from Immunization), <https://flrules.org/Gateway/reference.asp?No=Ref-02341> (last visited Jan. 20, 2026).

³⁰ Section 1003.22(8), F.S.

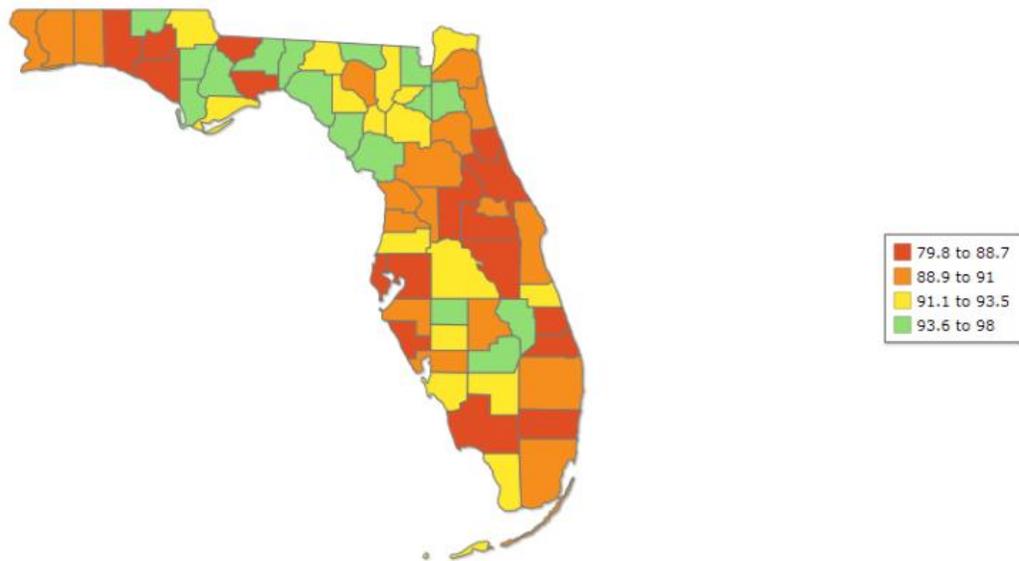
³¹ DOH, *Kindergarten and Seventh Grade Immunization Status Report, 2023–24 School Year* (memorandum from Carina Blackmore, DVM, PhD, to County Health Department Health Officers, Aug. 12, 2024) (on file with the Senate Committee on Health Policy).

³² The 2024–2025 data point for completed immunizations was obtained from the Florida Department of Health, *Immunization Levels in Kindergarten*, Florida CHARTS: Community Health Assessment Resource Tool Set, <https://www.flhealthcharts.gov/charts/> (last visited Jan. 20, 2026). Exemption data was requested for the 2024-25 and 2025-26 school years but was not provided before the publication of this analysis.

Immunization Levels in Kindergarten by Florida County

The following map³³ reflects percentages of students who have documented completion of their immunizations on the Certificate of Immunization form. Note that this reflects *all* immunizations, so the percentages may be lower than if it were to reflect each vaccination one by one.

Immunization Levels in Kindergarten, Percent of Kindergarten Students Enrolled, 2025



Immunization and Religious Exemption Status among Students enrolled in Public and Private kindergarten					
County	2023-2024 School Year ³⁴			2025-2026 School Year ³⁵	
	Students Enrolled	% Fully Immunized	% Religious exemption	Students Enrolled	% Fully Immunized
Alachua	2,484	92.7	3.9	2,432	91.9
Baker	349	96	3.2	368	95.4
Bay	2,252	84.6	3.8	2,245	85.3
Bradford	334	93.1	4.8	312	94.9
Brevard	5,811	91.6	6.4	5,380	90.9

³³ The 2024–2025 data point for completed immunizations was obtained from the Florida Department of Health, Immunization Levels in Kindergarten, Florida CHARTS: Community Health Assessment Resource Tool Set, <https://www.flhealthcharts.gov/charts/> (last visited Jan. 20, 2026). Exemption data was requested for the 2024-25 and 2025 26 school years but was not provided before the publication of this analysis.

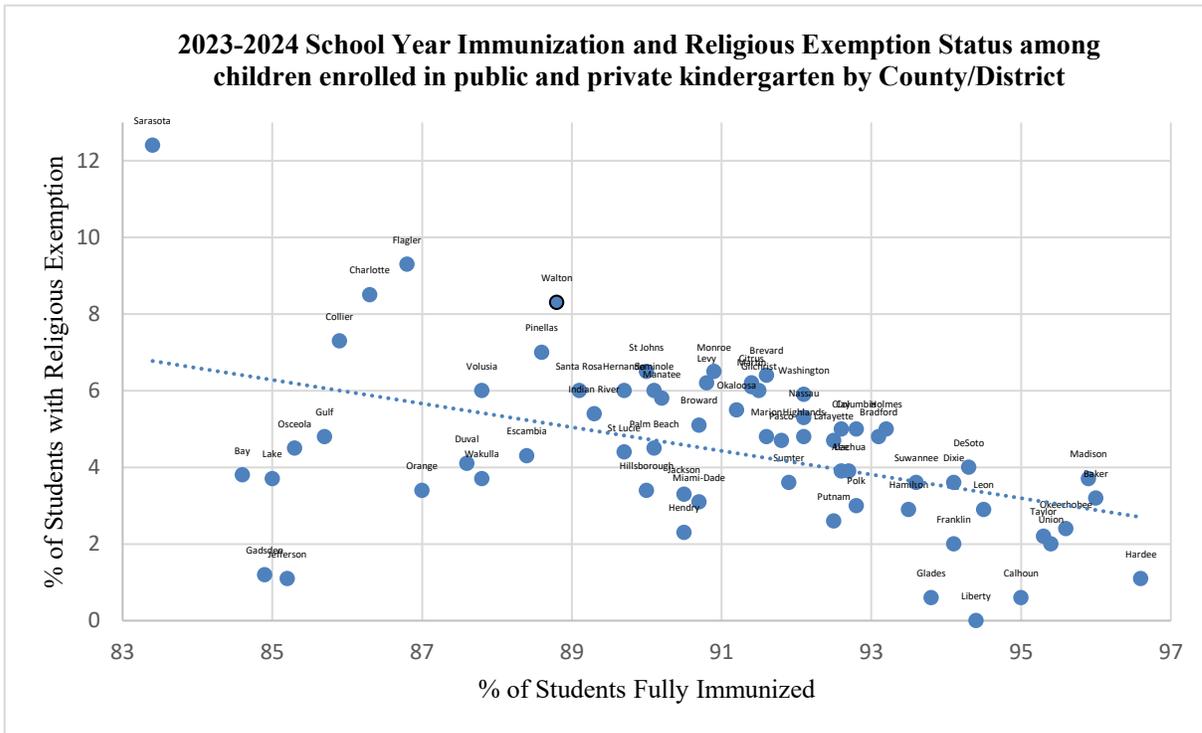
³⁴ Fl. Dept. of Health, *Kindergarten and Seventh Grade Immunization Status Report, 2023–24 School Year* (memorandum from Carina Blackmore, DVM, PhD, to County Health Department Health Officers, Aug. 12, 2024) (on file with the Senate Committee on Health Policy).

³⁵ The 2024–2025 data point for completed immunizations was obtained from the Florida Department of Health, Immunization Levels in Kindergarten, Florida CHARTS: Community Health Assessment Resource Tool Set, <https://www.flhealthcharts.gov/charts/> (last visited Jan. 20, 2026). Exemption data was requested for the 2024-25 and 2025 26 school years but was not provided before the publication of this analysis.

Immunization and Religious Exemption Status among Students enrolled in Public and Private kindergarten					
	2023-2024 School Year³⁴			2025-2026 School Year³⁵	
County	Students Enrolled	% Fully Immunized	% Religious exemption	Students Enrolled	% Fully Immunized
Broward	19,964	90.7	5.1	19,128	82.2
Calhoun	161	95	0.6	149	98
Charlotte	1,178	86.3	8.5	1,191	89.2
Citrus	1,233	91.4	6.2	1,124	90.8
Clay	2,847	92.6	5	2,812	93.6
Collier	3,695	85.9	7.3	3,626	86.3
Columbia	941	92.8	5	856	92.9
DeSoto	352	94.3	4	370	91.1
Dixie	169	94.1	3.6	171	93.6
Duval	12,468	87.6	4.1	12,251	89.9
Escambia	3,628	88.4	4.3	3,661	88.9
Flagler	1,034	86.8	9.3	996	88.7
Franklin	101	94.1	2	102	91.2
Gadsden	405	84.9	1.2	346	79.8
Gilchrist	282	91.5	6	265	92.1
Glades	160	93.8	0.6	149	94
Gulf	126	85.7	4.8	146	94.5
Hamilton	139	93.5	2.9	134	97
Hardee	354	96.6	1.1	325	95.4
Hendry	610	90.5	2.3	627	91.2
Hernando	1,934	89.7	6	1,816	89
Highlands	1,031	92.1	4.8	1,019	89.8
Hillsborough	16,211	90	3.4	15,255	86
Holmes	221	93.2	5	204	93.6
Indian River	1,401	89.3	5.4	1,335	91.2
Jackson	568	90.5	3.3	498	92.2
Jefferson	88	85.2	1.1	91	97.8
Lafayette	106	92.5	4.7	98	91.8
Lake	3,855	85	3.7	3,885	86
Lee	6,981	92.6	3.9	7,867	92.4
Leon	2,894	94.5	2.9	2,954	93.8
Levy	437	90.8	6.2	437	95.4
Liberty	90	94.4	0	109	93.6
Madison	217	95.9	3.7	243	93
Manatee	3,971	90.2	5.8	3,963	89.8

Immunization and Religious Exemption Status among Students enrolled in Public and Private kindergarten					
	2023-2024 School Year ³⁴			2025-2026 School Year ³⁵	
County	Students Enrolled	% Fully Immunized	% Religious exemption	Students Enrolled	% Fully Immunized
Marion	3,659	91.6	4.8	3,766	90.8
Martin	1,334	91.4	6.1	1,404	88.5
Miami-Dade	27,296	90.7	3.1	27,691	91
Monroe	725	90.9	6.5	684	92
Nassau	1,028	92.1	5.3	1,029	91.8
Okaloosa	2,454	91.2	5.5	2,351	90
Okeechobee	505	95.6	2.4	465	93.8
Orange	14,743	87	3.4	14,129	85.4
Osceola	5,551	85.3	4.5	5,638	86.3
Palm Beach	15,692	90.1	4.5	15,389	89.8
Pasco	6,385	91.8	4.7	6,236	91.9
Pinellas	7,354	88.6	7	7,042	87.3
Polk	9,181	92.8	3	9,338	92.5
Putnam	832	92.5	2.6	837	90.1
St. Johns	2,151	89.1	6	3,538	90.6
St. Lucie	3,405	83.4	12.4	3,562	88
Santa Rosa	4,803	90.1	6	2,186	91
Sarasota	3,573	90	6.5	3,438	79.9
Seminole	3,567	89.7	4.4	5,162	90
Sumter	666	91.9	3.6	777	90.6
Suwannee	470	93.6	3.6	468	89.3
Taylor	275	95.3	2.2	244	97.1
Union	196	95.4	2	185	93.5
Volusia	4,887	87.8	6	4,689	88.6
Wakulla	403	87.8	3.7	387	86.3
Walton	964	88.8	8.3	936	88.5
Washington	304	92.1	5.9	312	88.1

The following chart reflects the same 2023-2024 school year data above in an attempt to show the inherent correlation between religious exemptions and completion of vaccinations by Florida County. Generally, the more religious exemptions, the fewer students with completed Certificates of Immunization.



Florida SHOTS Immunization Registry

The DOH maintains a secure statewide electronic immunization registry, Florida SHOTS (State Health Online Tracking System), which consolidates immunization histories and facilitates access to immunization documentation for clinical care and school recordkeeping.³⁶ A parent or guardian, or a certain eligible student, may decline participation in the registry by submitting an opt-out form.³⁷ A parent or guardian who opts out generally assumes responsibility for maintaining and providing documentation of their child’s immunization status.³⁸

During an outbreak, Florida SHOTS enables the DOH and county health departments to rapidly verify immunization status, identify individuals who may be susceptible to disease, and support response activities such as contact investigations, targeted vaccination outreach, and, when authorized, school exclusion decisions.³⁹

³⁶ Section 381.003(1)(e), F.S. Florida SHOTS (State Health Online Tracking System), *About Florida SHOTS*, available at <https://flshotsusers.com/about> (last visited Jan. 23, 2026).

³⁷ Section 381.003(1)(e)2.-3., F.S.

³⁸ Florida SHOTS Notification and Opt-Out Form, (Florida Dep’t of Health, Immunization Section, Sept. 2019), available at <https://flshotsusers.com/sites/default/files/Opt-OutForm.pdf> (last visited Jan. 23, 2026).

³⁹ Florida SHOTS, “Using the Tools in Florida SHOTS” training page (Florida Dep’t of Health, Immunization Section), available at <https://flshotsusers.com/training/using-the-tools-in-florida-shots> (last visited Jan. 23, 2026).

Disease Outbreaks

The DOH rule defines an “outbreak” as “an increase in the number of cases of a disease or condition compared to the expected number in a particular period of time and geographical area. For diseases where the expected number is zero, a single case constitutes an outbreak.”⁴⁰

Reporting Requirements

All practitioners, health care facilities, and laboratories in Florida are required to notify the DOH of diseases or conditions of public health significance.⁴¹ DOH rules require reporting for each disease for which the DOH seeks to immunize children under its Immunization Guidelines. For those specified diseases, practitioners must report as follows:

- Immediately upon initial suspicion, or upon ordering a test: measles; rubella; diphtheria; *Haemophilus influenzae* type b (Hib); polio; and pneumococcal disease caused by *Streptococcus pneumoniae*.
- Immediately upon confirmatory test or diagnosis: pertussis (whooping cough).
- By the next business day: hepatitis B (Hep B); mumps; tetanus; and varicella (chickenpox).⁴²

Emergencies and Advisories

While the Governor of this state has broad emergency management powers,⁴³ the statutes grant specified authority to the State Health Officer, commonly referred to as the State Surgeon General. In the State Surgeon General’s discretion, he or she may issue a public health advisory⁴⁴ (a warning or report giving information to the public about a potential public health threat) or may declare a public health emergency⁴⁵ (for any occurrence which results or may result in substantial injury or harm to the public).

During a public health emergency, the State Surgeon General has statutory authority to order an individual to be examined, tested, treated, isolated, or quarantined for communicable diseases that have significant morbidity or mortality and present a severe danger to public health.⁴⁶ In 2021, the Legislature amended the statute to remove the State Surgeon General’s authority to order an individual to be vaccinated for such a disease.⁴⁷

At the local level, a county health department director or administrator⁴⁸ may declare a communicable disease emergency if a communicable disease for which vaccination is required by the DOH is present in a public or private school.⁴⁹ Upon declaration of such an emergency, the district school board or the governing authority of a private school must identify all students in attendance who have not completed the required immunizations, as documented on the

⁴⁰ Rule 64D-3.028, F.A.C.

⁴¹ Section 381.0031, F.S.

⁴² Rule 64D-3.029, F.A.C.

⁴³ Section 252.36, F.S.

⁴⁴ Section 381.00315(1)(b), F.S.

⁴⁵ Section 381.00315(1)(a), F.S.

⁴⁶ Section 381.00315(2)(d)4., F.S.

⁴⁷ Chapter 2021-7B, Laws of Fla.

⁴⁸ A county health department director or administrator is appointed by and serves at the pleasure of the State Surgeon General. See s. 154.04, F.S.

⁴⁹ Section 1003.22(9), F.S.

Certificate of Immunization form. Students identified as not immunized against the disease for which the emergency has been declared must be excluded from school until the county health department director or administrator specifies otherwise.⁵⁰ In 2024, when seven elementary school students contracted confirmed cases of measles, a communicable disease emergency was not declared. Instead, a public health advisory was issued.⁵¹

Measles and Community Immunity as illustrated by the Manatee Bay Elementary Outbreak of 2024

According to the Centers for Disease Control and Prevention (CDC) website:

- “Some people think of measles as just a little rash and fever that clear up in a few days.”⁵²
- “Measles can cause serious health complications, especially in children younger than five years of age. Common complications are ear infections and diarrhea. Serious complications include pneumonia and encephalitis.”⁵³
- “Measles is highly contagious. If one person has it, up to 9 out of 10 people nearby will become infected if they are not protected.”⁵⁴
- “It spreads through the air when an infected person coughs or sneezes.”⁵⁵

The CDC further indicates that “The measles, mumps, and rubella (MMR) vaccine is very safe and effective. *When more than 95 percent of people in a community are vaccinated (coverage >95 percent), most people are protected through community immunity (herd immunity).*”⁵⁶

The CDC defines “community immunity” as “a situation in which a sufficient proportion of a population is immune to an infectious disease (through vaccination and/or prior illness) to make its spread from person to person unlikely. Even individuals not vaccinated (such as newborns and those with chronic illnesses) are offered some protection because the disease has little opportunity to spread within the community. Also known as herd immunity.”⁵⁷

In 2024, seven children at Manatee Bay Elementary in Broward County contracted confirmed cases of measles.⁵⁸ Broward County experienced two additional cases of measles, and there were single cases of measles in Martin, Orange, and Polk Counties in 2024, bringing the state total up to 12 confirmed cases in 2024 according to the DOH data.⁵⁹

⁵⁰ *Id.*

⁵¹ Florida Department of Health in Broward County, *Measles Health Advisory* (Feb. 18, 2024), available at <https://www.westonfl.org/home/showpublisheddocument/6597/638440458711170000> (last visited Jan. 20, 2026).

⁵² Centers for Disease Control and Prevention, *Measles (Rubeola): About Measles*, available at <https://www.cdc.gov/measles/about/index.html> (last visited Jan. 17, 2026).

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ Centers for Disease Control and Prevention, *Measles Data and Statistics*, available at <https://www.cdc.gov/measles/data-research/index.html> (last visited Jan. 17, 2026).

⁵⁷ Immunization is defined as “The process of being made immune or resistant to an infectious disease, typically by the administration of a vaccine. It implies that a vaccine will trigger an immune response.” U.S. Centers for Disease Control and Prevention, *Immunization Glossary of Terms*, <https://www.cdc.gov/vaccines/glossary/index.html> (last visited Jan. 23, 2026).

⁵⁸ City of Weston, Florida, *Measles Cases in Weston* (Feb. 23, 2024, updated Mar. 5, 2024), available at <https://www.westonfl.org/Home/Components/News/News/1249/18> (last visited Jan. 20, 2026).

⁵⁹ Florida Department of Health, *Measles (Rubeola), 2024*, Florida CHARTS: Community Health Assessment Resource Tool Set, available at <https://www.flhealthcharts.gov/charts/> (last visited Jan. 20, 2026).

The Broward County health department issued a public health advisory on February 18, 2024, in response to the outbreak of related measles cases at Manatee Bay Elementary.⁶⁰ Initially, the Broward County school district superintendent declared that the school was 92 percent vaccinated against measles.⁶¹ It is probable that the school district obtained initial data from the Florida SHOTS immunization registry to quickly assess the school's immunization rate. Children whose parents have opted them out of Florida SHOTS would not be counted in the initial data pull.

State Surgeon General Ladapo has reiterated that “people with a history of prior infection or vaccination of the full series of the Measles, Mumps, Rubella (MMR) immunization are 98 percent protected and are unlikely to contract measles.”⁶²

The county health department began offering MMR immunizations at the school.⁶³ The measles vaccination is typically given in a combined vaccine formulation also protecting against mumps and rubella. The Broward County school district superintendent later gave an update claiming that 33 of 1,067 Manatee Bay students were unimmunized against measles.⁶⁴ This mathematically suggests that 97 percent of students had at least one dose of the MMR vaccine, reflecting a 5 percent increase in immunization, with roughly 3 percent of students totally unprotected from the virus. The on-site vaccination efforts, together with the inclusion of students who acquired immunity through infection, appears to have increased the overall immunization rate.

According to both the CDC Child and Adolescent Immunization Schedule and the DOH Immunization Guidelines, the first dose of the MMR vaccine is recommended at one year of age, so infants under one year of age are unprotected and have no immunity from measles, mumps, and rubella. While some vaccines, such as Tdap⁶⁵, that are given during pregnancy can pass protective antibodies to the baby, the MMR vaccine should not be administered during pregnancy.⁶⁶ The second recommended dose of the MMR vaccine is recommended at four years

⁶⁰ Florida Department of Health in Broward County, *Measles Health Advisory* (Feb. 18, 2024), available at <https://www.westonfl.org/home/showpublisheddocument/6597/638440458711170000> (last visited Jan. 20, 2026).

⁶¹ NBC 6 South Florida, Ari Odzer, *Doctors Worry Herd Immunity Against Measles Is Fading as Cases at Manatee Bay Rise to 6* (Feb. 20, 2024), available at <https://www.nbcmiami.com/news/local/doctors-worry-herd-immunity-against-measles-is-fading-as-cases-at-manatee-bay-rise-to-6/3238882/> (last visited Jan. 20, 2026).

⁶² Executive Office of the Governor, Florida Department of Health: “Leading the Nation Again, Florida Successfully Balances Personal Responsibility, Parents’ Rights, and Public Health” (Mar. 8, 2024), available at <https://www.flgov.com/eog/news/press/2024/florida-department-health-leading-nation-again-florida-successfully-balances> (last visited Jan. 17, 2026). See also Florida Department of Health, *Measles (Rubeola)*, available at <https://www.floridahealth.gov/diseases-and-conditions/disease/measles/> (last visited Jan. 17, 2026).

⁶³ NBC 6 South Florida, *Florida Surgeon General Doesn’t Urge Vaccinations Amid Measles Outbreak* (Feb. 21, 2024), available at <https://www.nbcmiami.com/news/local/florida-surgeon-general-measles-vaccinations-outbreak/3239826/> (last visited Jan. 20, 2026).

⁶⁴ *Id.*

⁶⁵ Centers for Disease Control and Prevention, *Tdap Vaccination During Pregnancy*, available at <https://www.cdc.gov/pertussis/vaccines/tdap-vaccination-during-pregnancy.html> (last visited Jan. 17, 2026). The CDC Child and Adolescent Immunization Schedule recommends the first DTaP vaccine be given to infants at two months of age.

⁶⁶ American College of Obstetricians and Gynecologists, *Practice Advisory: Measles, Mumps, Rubella (MMR) Vaccination and Management of Obstetric–Gynecologic Patients During a Measles Outbreak* (Mar. 2024), available at

of age. Because this outbreak occurred in an elementary school rather than a day care or preschool, the students had significantly higher immunity due to having received the second dose.

It is likely that several of the Manatee Bay Elementary students had a permanent medical exemption in place. A medical doctor or osteopathic physician may advise against a measles vaccine if the child has a known life-threatening allergy to MMR ingredients such as gelatin or neomycin, has a serious immune system condition that makes live vaccines unsafe, or has a documented history of severe brain inflammation or injury that would make MMR vaccination dangerous. Certainly, some students had a temporary medical exemption in place with the intent of completing the second recommended dose.

A child may have a religious exemption in place while still receiving selected immunizations. For the 2023-2024 school year, Broward County reported that 5.1 percent of its Kindergarten students in public and private schools had a religious exemption.⁶⁷ It is likely that the majority of the school's 33 unimmunized students had a religious exemption in place.

Assuming the superintendent's updated data are accurate, with roughly 97 percent of students immunized from measles, the CDC's 95 percent threshold was exceeded within the school, offering most students protection through community immunity.

The school remained open.⁶⁸ The DOH deferred to parents and guardians to make decisions about school attendance and provided virtual learning options for students whose parents or guardians chose to keep them at home.⁶⁹ On March 8, 2024, the DOH issued a press release entitled "Leading the Nation Again, Florida Successfully Balances Personal Responsibility, Parent's Rights, and Public Health."⁷⁰ The disease outbreak was contained due to the DOH and county health department's response measures which appear to have boosted the school's already high immunization rate, exceeding the threshold needed to achieve community immunity.

It should be noted that the percentage of kindergarten students fully immunized in Broward County has fallen dramatically from 90.7 percent during the 2023-2024 school year to 82.2 percent during the 2025-2026 school year.⁷¹

<https://www.acog.org/clinical/clinical-guidance/practice-advisory/articles/2024/03/management-of-obstetric-gynecologic-patients-during-a-measles-outbreak> (last visited Jan. 17, 2026).

⁶⁷ Fl. Dept. of Health, *Kindergarten and Seventh Grade Immunization Status Report, 2023–24 School Year* (memorandum from Carina Blackmore, DVM, PhD, to County Health Department Health Officers, Aug. 12, 2024) (on file with the Senate Committee on Health Policy).

⁶⁸ Letter from Joseph A. Ladapo, M.D., Ph.D., State Surgeon Gen., to Parents and Guardians of Students Attending Manatee Bay Elementary School (Feb. 20, 2024), available at

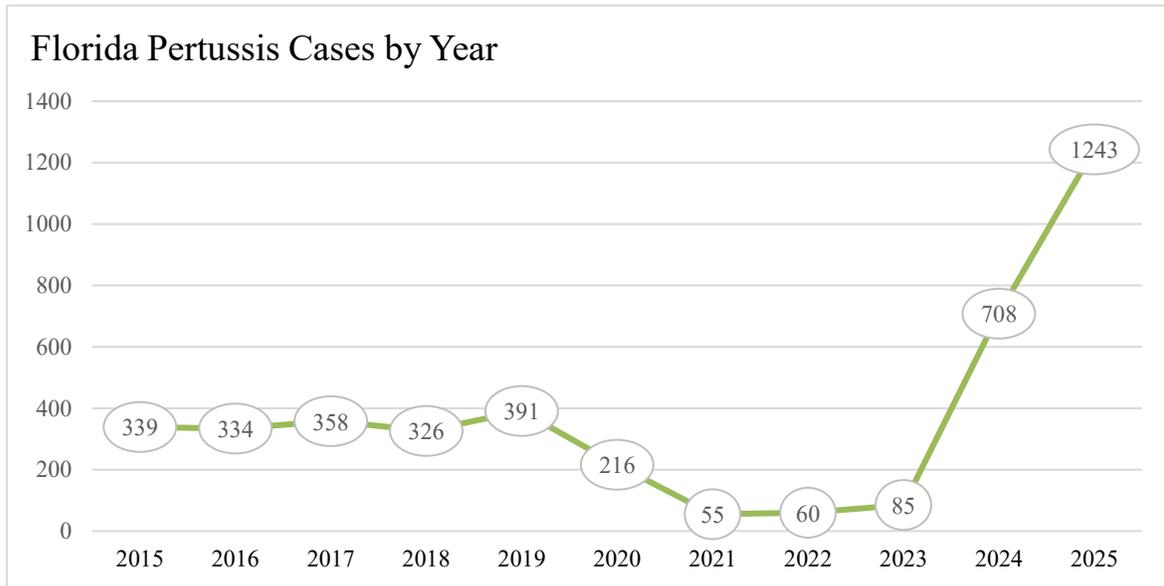
<https://www.westonfl.org/home/showpublisheddocument/6609/638917115733530000> (last visited Jan. 21, 2026).

⁶⁹ *Id.*

⁷⁰ Executive Office of the Governor, Florida Department of Health: "Leading the Nation Again, Florida Successfully Balances Personal Responsibility, Parents' Rights, and Public Health" (Mar. 8, 2024), available at <https://www.flgov.com/eog/news/press/2024/florida-department-health-leading-nation-again-florida-successfully-balances> (last visited Jan. 17, 2026). See also Florida Department of Health, Measles (Rubeola), available at <https://www.floridahealth.gov/diseases-and-conditions/disease/measles/> (last visited Jan. 17, 2026).

⁷¹ The Fl. Dept. of Health, *Kindergarten and Seventh Grade Immunization Status Report, 2023–24 School Year* (memorandum from Carina Blackmore, DVM, PhD, to County Health Department Health Officers, Aug. 12, 2024) (on file with the Senate Committee on Health Policy). The 2024–2025 data point for completed immunizations was obtained from

Community immunity thresholds vary from disease to disease. Pertussis (whooping cough), which most commonly affects infants and young children, also requires a relatively high vaccination rate to achieve community immunity, estimated to be between 92-94 percent.⁷² The pertussis vaccine is typically provided in a combined vaccine formulation along with diphtheria and tetanus, known as DTaP or Tdap.⁷³



This chart shows the total number of confirmed pertussis cases in Florida according to DOH data.⁷⁴

Localized Data and the Spartanburg, South Carolina Measles Outbreak

The DOH data indicates that Florida has had three confirmed cases of measles between January 1-17 of this year, one each in Hillsborough, Manatee, and St. Johns counties; two cases were acquired in Florida.⁷⁵ According to CDC data, Florida has six confirmed cases of measles

the Florida Department of Health, Immunization Levels in Kindergarten, Florida CHARTS: Community Health Assessment Resource Tool Set, <https://www.flhealthcharts.gov/charts/> (last visited Jan. 20, 2026). Exemption data was requested for the 2024-25 and 2025-26 school years but was not provided before the publication of this analysis.

⁷² NOVA PBS, Laura Helft & Emily Willingham, What Is Herd Immunity? (Sept. 5, 2014), available at <https://www.pbs.org/wgbh/nova/article/herd-immunity/> (last visited Jan. 20, 2026).

⁷³ DTaP is recommended for children under 7 years of age. Tdap is recommended for older children and adults. Different dosages are recommended for different age groups. Ctrs. for Disease Control & Prevention, *Whooping Cough Vaccination* (Dec. 2, 2025), available at <https://www.cdc.gov/pertussis/vaccines/index.html> (last visited Jan. 20, 2026).

⁷⁴ Florida Department of Health, *Pertussis: 10 Year Report*, Florida CHARTS: Community Health Assessment Resource Tool Set, available at <https://www.flhealthcharts.gov/charts/> (last visited Jan. 27, 2026). Florida Dep’t of Health, Reportable Diseases Frequency Report (select all counties, “pertussis,” “confirmed” “all ages” and Jan. 1, 2025-Dec. 31, 2025), FLHealthCHARTS: Community Health Assessment Resource Tool Set, available at <https://www.flhealthcharts.gov/ChartsReports/rdPage.aspx?rdReport=FrequencyMerlin.Frequency&FirstTime=True> (last visited Jan. 27, 2026).

⁷⁵ Florida Dep’t of Health, Reportable Diseases Frequency Report (select “Measles (rubeola)”), FLHealthCHARTS: Community Health Assessment Resource Tool Set, available at <https://www.flhealthcharts.gov/ChartsReports/rdPage.aspx?rdReport=FrequencyMerlin.Frequency&FirstTime=True>

as of January 22, 2026, which is 75 percent of the eight total confirmed cases in Florida in 2025; CDC defines a measles outbreak as three or more related cases that have occurred this year in the U.S.⁷⁶ Based on publicly available information, it is unclear whether the 2026 Florida cases are related.

Assessing local outbreak risk based on statewide data is of limited utility. On January 27, 2026, 557 people in South Carolina were in quarantine and 20 were in isolation.⁷⁷ The South Carolina Department of Public Health reported 789 measles cases associated with a single outbreak, including 89 new cases identified between the 23rd and 27th of January.⁷⁸ The epicenter of the outbreak is Spartanburg County, where the majority of cases are concentrated.⁷⁹

Age Breakdown of 789 Cases⁸⁰	
Under 5	203
5-17	493
18+	65
Unknown	28

Of the confirmed cases, 695 were unvaccinated, 14 were partially vaccinated with one of the recommended two-dose MMR sequence, 20 were fully vaccinated, and 60 are unknown. On January 27, students in at least 23 South Carolina schools were in quarantine.⁸¹

Although approximately 90 percent of students in Spartanburg County meet school immunization requirements, significant variation exists at a more granular level.⁸² Some schools in the county reportedly have vaccination rates as low as 20 percent.⁸³ When assessing outbreak risk, county- and school-level immunization data provide more meaningful insight than statewide averages.

Approximately eight percent of students in Spartanburg County have a nonmedical religious exemption from immunization requirements, reflecting a jump from three percent in 2020.⁸⁴ An eight-percent figure suggests that the county as a whole will not achieve the CDC community immunity threshold for measles of at least 95 percent. The religious exemption is the only

(last visited Jan. 27, 2026).

⁷⁶ Ctrs. for Disease Control & Prevention, *Measles Cases and Outbreaks* (Jan. 22, 2026), available at <https://www.cdc.gov/measles/data-research/index.html> (last visited Jan. 27, 2026).

⁷⁷ S.C. Dept. of Public Health, “TUESDAY MEASLES UPDATE: DPH Reports 89 New Measles Cases in Upstate, Bringing Outbreak Total to 789, Additional School and Public Exposures” (Jan. 27, 2026), available at <https://dph.sc.gov/news/tuesday-measles-update-dph-reports-89-new-measles-cases-upstate-bringing-outbreak-total-789> (last visited Jan. 27, 2026).

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² NPR, “Measles Outbreak in South Carolina Has Some Parents Rethinking Vaccines as Cases Spread Among Children” (Jan. 16, 2026), available at <https://www.npr.org/2026/01/16/nx-s1-5677299/measles-outbreak-vaccines-kids-health> (last visited Jan. 27, 2026).

⁸³ *Id.*

⁸⁴ *Id.*

nonmedical exemption available under South Carolina law.⁸⁵ The South Carolina Department of Public Health has made the religious exemption form available on its website, warning parents that unvaccinated children are more likely to get sick.⁸⁶

Consistent with the Spartanburg outbreak, a recent study concluded that nonmedical vaccine exemptions tend to be geographically concentrated in a fraction of counties, creating localized pockets of increased vulnerability.⁸⁷

Nonmedical Exemptions in Other States⁸⁸

Nationally, all 50 states and the District of Columbia require specified immunizations for K–12 school attendance and allow medical exemptions. For nonmedical exemptions, state statutes fall into four nonmedical exemption categories.

- **Religious-only (and no personal/philosophical):** Alabama, Alaska, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, and Wyoming. (Washington, D.C., is also religious-only.)
- **Both religious and personal/philosophical exemptions:** Arizona, Arkansas, Colorado, Idaho, Michigan, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Texas, Utah, Washington, and Wisconsin.
- **Nonmedical allowed but not specified as religious or personal:** Louisiana and Minnesota.
- **Medical exemptions only:** California, Connecticut, Maine, New York, and West Virginia.

Procedurally, states that allow nonmedical exemptions generally require a parent or guardian (or adult student) to submit a state-required form (sometimes vaccine-specific), a signed statement or affidavit attesting to the basis for the exemption, and depending on the jurisdiction, renewal at defined grade levels or annually, with explicit notice that an exempt child may be excluded from school attendance during outbreaks. Some states also narrow the scope of personal/philosophical exemptions (for example, D.C. and Virginia allow a personal-belief exemption only for HPV, and Washington removed the personal/philosophical option for MMR). In a smaller subset, the exemption is not merely filed with the school; it is processed through a health agency workflow (e.g., state or county health department intake), or it must be notarized.

Parental Education Requirements for Nonmedical Exemptions

Several states require parents seeking a nonmedical vaccine exemption to complete an education or counseling step rather than simply filing a form. Colorado and Oregon allow two routes, either completing an online education module or obtaining documentation after a health care provider consultation. Michigan requires education through the county health department before issuing the waiver form, and Utah similarly requires either an online module or an in-person local health

⁸⁵ S.C. Department of Public Health, *Exemptions from School Vaccine Requirements*, available at <https://dph.sc.gov/health-wellness/child-teen-health/vaccine-requirements-info/school-vaccination-coverage-data-0> (last visited Jan. 27, 2026).

⁸⁶ *Id.*

⁸⁷ Fattah *et al.*, *Trends in County-Level Childhood Vaccination Exemptions in the U.S.*, JAMA (published online Jan. 14, 2026), available at <https://jamanetwork.com/journals/jama/article-abstract/2843870> (last visited Jan. 27, 2026).

⁸⁸ Nat'l Conf. of State Legislatures, Letter to Senior Attorney, Florida Senate Committee on Health Policy (Oct. 22, 2025) (on file with Senate Committee on Health Policy).

department consultation. Mississippi requires an in-person county health department appointment that includes watching an education video and discussing vaccine information, while Vermont requires an annual religious-exemption statement confirming the parent has reviewed evidence-based educational materials. Washington generally requires a health care practitioner signature on the exemption certificate to document that the required information was provided (with separate limits on certain personal/philosophical exemptions, such as for MMR).

Legal Challenges

The U.S. Supreme Court has long recognized that compulsory vaccination falls within a state’s police power for the protection of public health.⁸⁹ Nonmedical exemptions have given rise to recent challenges.

West Virginia state law provides for compulsory school immunization with medical exemptions and does not codify a nonmedical exemption. On January 14, 2025, West Virginia Governor Morrisey issued Executive Order 7-25, directing an exemption process for families asserting religious objections in K–12 schools and state-regulated child care.⁹⁰ On March 24, 2025, West Virginia Senate Bill 460, which would have established a religious exemption and related changes, was defeated on the House floor (42–56).⁹¹ On December 2, 2025, the West Virginia Supreme Court granted a stay of a ruling that would have allowed students to attend school with the religious exemption.⁹² Litigation is ongoing.

New York removed its religious exemption from the state’s school-immunization law in 2019, leaving medical exemptions as the only statutory basis for attending school without the required vaccines. That change brought forth litigation in *Miller v. McDonald*.⁹³ In that case, Old Order Amish parents and Amish schools challenged the 2019 repeal on federal constitutional grounds (principally the Free Exercise Clause), arguing that eliminating the religious exemption while retaining a medical exemption unlawfully burdened their religious exercise. In a decision issued March 3, 2025, the U.S. Court of Appeals for the Second Circuit upheld dismissal of the challenge, concluding that New York’s post-2019 scheme is neutral and generally applicable for Free Exercise purposes despite the continued availability of medical exemptions.

The U.S. Supreme Court intervened, vacating the Second Circuit’s judgment and remanding the case for further consideration on December 8, 2025.⁹⁴

⁸⁹ *Zucht v. King*, 260 U.S. 174, 176–77 (1922) (“*Jacobson v. Massachusetts* ... had settled that it is within the police power of a State to provide for compulsory vaccination.”), and *id.* at 177 (“[T]hese ordinances confer not arbitrary power, but only that broad discretion required for the protection of the public health.”); *see also* *Jacobson v. Massachusetts*, 197 U.S. 11, 25-27 (1905) (upholding a state’s authority to mandate smallpox vaccination as a valid exercise of its police power to protect public health).

⁹⁰ State of West Virginia, Exec. Order No. 7-25 (Jan. 14, 2025), available at <https://apps.sos.wv.gov/adlaw/executivejournal/readpdf.aspx?DocID=97525> (last visited Jan. 27, 2026).

⁹¹ House Rejects Senate Vaccine Bill, *Blog of the West Virginia Legislature* (Mar. 24, 2025), available at <https://blog.wvlegislature.gov/house-floor-session/2025/03/24/house-rejects-senate-vaccine-bill/> (last visited Jan. 27, 2026).

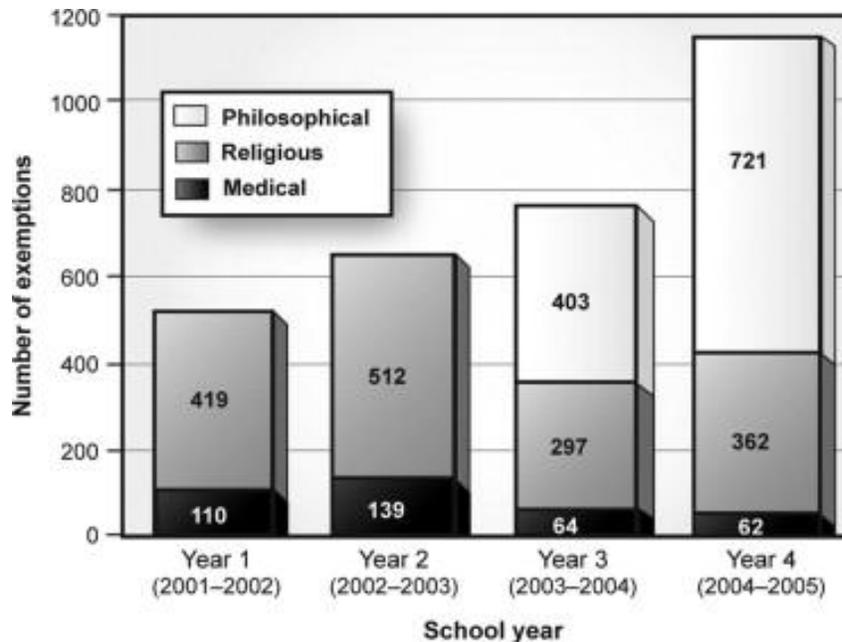
⁹² West Virginia again bans religious reasons for school vaccine exemptions after state Supreme Court pauses injunction, *Associated Press* (Dec. 3, 2025), available at <https://apnews.com/article/e61c5814de407a1aa280ce3916f82cc6> (last visited Jan. 20, 2026).

⁹³ *Miller v. McDonald*, No. 24-681 (2d Cir. Mar. 3, 2025).

⁹⁴ *Joseph Miller, et al. v. James V. McDonald, Commissioner, New York State Department of Health, et al.*, No. 25-133 (U.S. docketed Aug. 4, 2025) (linked with application No. 24A987; petition granted, judgment vacated and remanded).

Arkansas: Addition of a Philosophical Exemption

A 2007 study examined Arkansas school immunization exemption data before and after the state introduced a philosophical exemption in 2003, in addition to its preexisting religious exemption and medical exemptions.⁹⁵ The authors reported that total exemptions increased significantly over time after the philosophical exemption became available. They also found that nonmedical exemptions were geographically clustered, which could concentrate outbreaks and risk within communities smaller than an entire county.



The chart above shows the number of Arkansas students requesting immunization exemptions by type, 2001-2005. Exemptions include all students reported to Arkansas Division of Health who attended day care, pre-K programs, K-12, and colleges/universities.⁹⁶

Among Florida’s counties and nationwide, higher percentages of students with nonmedical exemptions are associated with lower vaccination rates.⁹⁷

Federal Oversight of Vaccinations

While states generally establish and enforce vaccination requirements for school attendance, the federal government plays a central role in regulating vaccine products, issuing recommendations

Dec. 8, 2025), available at <https://www.supremecourt.gov/docket/docketfiles/html/public/25-133.html> (last visited Jan. 27, 2026).

⁹⁵ Joseph W. Thompson et al., *Impact of Addition of Philosophical Exemptions on Childhood Immunization Rates*, 32(3) Am. J. Prev. Med. 194–201 (Mar. 2007), available at [https://www.ajpmonline.org/article/S0749-3797\(06\)00497-1/fulltext](https://www.ajpmonline.org/article/S0749-3797(06)00497-1/fulltext) (last visited Jan. 27, 2026).

⁹⁶ *Id.*

⁹⁷ Florida Dept. of Health, *Kindergarten and Seventh Grade Immunization Status Report, 2023–24 School Year* (memorandum from Carina Blackmore, DVM, PhD, to County Health Department Health Officers, Aug. 12, 2024) (on file with the Senate Committee on Health Policy).

on vaccine use and supporting vaccine access through coverage and purchase programs. The U.S. Department of Health and Human Services (HHS) is the federal department principally responsible for public health policy and administration. Federal vaccine activity is coordinated through HHS and its operating divisions, including the Centers for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA). In addition, federal law directs the HHS Secretary to establish a National Vaccine Program to lead national planning efforts aimed at preventing infectious disease through immunization and preventing adverse reactions.⁹⁸

CDC, ACIP, and the Recommended Childhood Immunization Schedule

The CDC's vaccine-use guidance is traditionally developed through the Advisory Committee on Immunization Practices (ACIP).⁹⁹ The CDC publishes consolidated recommendations for clinicians and public health professionals as the Recommended Child and Adolescent Immunization Schedule.¹⁰⁰ The CDC publishes the schedule as an annual, consolidated summary of current ACIP recommendations and organizes the schedule in standard components used in pediatric practice, including an age-based schedule, a catch-up schedule, and notes that describe routine, catch-up, and special-situation guidance.¹⁰¹ Because school-age vaccination compliance frequently depends on vaccinations received in infancy and early childhood (as well as adolescent boosters and series), the schedule serves as a central federal reference point for routine pediatric vaccination and catch-up vaccination for children who are behind schedule.

The current schedule is being revised to reflect updated CDC guidance.¹⁰² The new schedule was not established, reviewed, or revised by ACIP.¹⁰³ Interest groups and associations such as the American Academy of Pediatrics have filed a lawsuit in federal court to challenge the procedure by which the guidance was adopted, citing conflict with federal laws and regulations.¹⁰⁴ A hearing is scheduled for February 13, 2026, before the U.S. District Court for the District of

⁹⁸ 42 U.S.C. § 300aa-1 (2022). See also U.S. Department of Health and Human Services, *Vaccines National Strategic Plan 2021–2025* (Jan. 19, 2021), available at <https://www.hhs.gov/sites/default/files/HHS-Vaccines-Report.pdf>.

⁹⁹ Ctrs. for Disease Control & Prevention, *ACIP Vaccine Recommendations and Guidelines*, available at <https://www.cdc.gov/acip/vaccine-recommendations/index.html> (last visited Jan. 27, 2026).

¹⁰⁰ Ctrs. for Disease Control & Prevention, *Child and Adolescent Immunization Schedule by Age* (Content is being revised to reflect updated CDC recommendations), available at <https://www.cdc.gov/vaccines/hcp/imz-schedules/child-adolescent-age.html> (last visited Jan. 27, 2026).

¹⁰¹ Ctrs. for Disease Control & Prevention, *Advisory Committee on Immunization Practices Recommended Immunization Schedule for Children and Adolescents Aged 18 Years or Younger — United States, 2025*, 74(2) *Morbidity & Mortality Wkly. Rep.* 26–29 (Jan. 16, 2025), available at <https://www.cdc.gov/mmwr/volumes/74/wr/mm7402a2.htm> (last visited Jan. 27, 2026).

¹⁰² Ctrs. for Disease Control & Prevention, *Child and Adolescent Immunization Schedule by Age* (Content is being revised to reflect updated CDC recommendations), available at <https://www.cdc.gov/vaccines/hcp/imz-schedules/child-adolescent-age.html> (last visited Jan. 27, 2026).

¹⁰³ Georgetown Univ. Health Policy Inst., Ctr. for Children & Families, *HHS Announces Changes to Recommended Vaccine Schedule for Children* (Jan. 15, 2026), available at <https://ccf.georgetown.edu/2026/01/15/hhs-announces-changes-to-recommended-vaccine-schedule-for-children/> (last visited Jan. 20, 2026).

¹⁰⁴ See *Fourth Amended Complaint for Declaratory and Injunctive Relief*, Am. Acad. of Pediatrics, et al. v. Kennedy, et al., Case No. 1:25-cv-11916 (BEM) (D. Mass. filed Jan. 19, 2026) (ECF No. 180-1), available at <https://www.washingtonpost.com/documents/9e2848fb-6b04-49b5-94c5-05906811e882.pdf> (last visited Jan. 21, 2026).

Massachusetts.¹⁰⁵ The American Academy of Pediatrics no longer endorses the CDC's schedule and instead maintains its own recommended schedule.¹⁰⁶

National Childhood Vaccine Injury Act: Disclosure, Reporting, and Compensation

The National Childhood Vaccine Injury Act of 1986 (Act) established an interconnected set of federal requirements and programs intended to strengthen the childhood immunization system by standardizing pre-vaccination information, requiring the recording and reporting of certain adverse events, and creating a no-fault compensation program for certain vaccine-related injuries.¹⁰⁷

Federal law imposes informed-consent-adjacent requirements specific to vaccines. The Act requires development of Vaccine Information Statements (VIS) for covered vaccines and imposes duties on vaccine providers to furnish those materials prior to administration of each dose of a covered vaccine. Specifically, each health care provider who administers a vaccine set forth in the Vaccine Injury Table must provide the Vaccine Information Statement to the child's parent or guardian prior to administration of the vaccine.¹⁰⁸ The HHS requires providers to document in the patient's permanent medical record the VIS edition date and the date the VIS was provided at the time the VIS is given.¹⁰⁹

In addition, federal law requires providers administering covered vaccines to record specified information in the patient's permanent medical record (or in a permanent office log/file):

- The date of administration,
- The manufacturer and lot number, and
- The name/address (and, if appropriate, title) of the provider administering the vaccine.¹¹⁰

The Act requires each health care provider and vaccine manufacturer to report specified events to the HHS Secretary, including events set forth in the Vaccine Injury Table within the applicable time period.¹¹¹ The national reporting mechanism used for this purpose is the Vaccine Adverse Event Reporting System (VAERS), a passive reporting system co-managed by CDC and FDA. Anyone (health care providers, manufacturers, and the public) may submit a report.¹¹² VAERS is primarily an early warning signal-detection system; it is not designed to determine whether a vaccine caused a reported event.¹¹³

¹⁰⁵ Nate Raymond, *Medical groups challenge Kennedy-backed cuts to vaccine recommendations for children*, Reuters (Jan. 20, 2026), available at <https://www.reuters.com/legal/government/medical-groups-challenge-kennedy-backed-cuts-vaccine-recommendations-children-2026-01-20/> (last visited Jan. 21, 2026).

¹⁰⁶ Am. Acad. of Pediatrics, *Immunization Schedule*, in Red Book Online, available at <https://publications.aap.org/redbook/resources/15585> (last visited Jan. 27, 2026).

¹⁰⁷ National Childhood Vaccine Injury Act of 1986, H.R. 5546, 99th Cong. (1986), available at <https://www.congress.gov/bill/99th-congress/house-bill/5546> (last visited Jan. 20, 2026).

¹⁰⁸ Ctrs. for Disease Control & Prevention, *Instructions for Using VISs* (May 29, 2025), available at <https://www.cdc.gov/vaccines/hcp/about-vis/instructions.html> (last visited Jan. 20, 2026).

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ Health Res. & Servs. Admin., *Covered Vaccines*, Nat'l Vaccine Injury Comp. Program, available at <https://www.hrsa.gov/vaccine-compensation/covered-vaccines> (last visited Jan. 20, 2026).

¹¹² U.S. Food and Drug Administration, *VAERS Overview*, available at <https://www.fda.gov/vaccines-blood-biologics/vaccine-adverse-events/vaers-overview> (last visited Jan. 27, 2026).

¹¹³ *Id.*

The Act sought to incentivize manufacturers to develop vaccinations for market by offering some protection from litigation. The Act established the National Vaccine Injury Compensation Program (VICP), administered by the HHS, under which compensation may be paid for a vaccine-related injury or death. HRSA describes VICP's objectives: to ensure an adequate supply of vaccines, stabilize vaccine costs, and establish and maintain an accessible and efficient forum for individuals found to have been injured by certain vaccines.¹¹⁴

VICP claims are adjudicated in the U.S. Court of Federal Claims by special masters in the Court's Office of Special Masters (sometimes referred to as "vaccine court"). The Court describes the program as a no-fault compensation system in which petitions for compensation may be brought by or on behalf of persons alleging injury or death from covered vaccines.¹¹⁵ The vast majority of VICP claims filed are related to influenza vaccinations (flu shots).¹¹⁶

According to the CDC, from 2006 to 2023, over 5 billion doses of covered vaccines were distributed in the U.S.¹¹⁷ For petitions filed in this period, 13,948 petitions were adjudicated by the Court, and of those, 10,193 were compensated.¹¹⁸ This means for every 1 million doses of vaccine that were distributed, approximately one individual was compensated.¹¹⁹

The VICP covers most vaccines routinely administered in the U.S., but it does not cover claims associated with COVID-19 vaccines, which have never been added to the table. Instead, HRSA directs that claims related to COVID-19 vaccines be filed under the Countermeasures Injury Compensation Program.¹²⁰

Vaccines for Children Program and No-Cost Vaccines for Eligible Children

Separate from the Act's reporting and compensation framework, federal law supports access to pediatric vaccines through the Vaccines for Children program, a pediatric vaccine distribution program established in the Social Security Act.¹²¹ The CDC states that there is no cost for vaccines themselves provided by program providers to eligible children.¹²²

¹¹⁴ Health Res. & Servs. Admin., *About the National Vaccine Injury Compensation Program* (last reviewed Jan. 2026), available at <https://www.hrsa.gov/vaccine-compensation/about> (last visited Jan. 27, 2026).

¹¹⁵ United States Court of Federal Claims, *Vaccine Claims: Office of Special Masters*, available at <https://www.uscfc.uscourts.gov/vaccine-claims-office-special-masters> (last visited Jan. 20, 2026).

¹¹⁶ Health Res. & Servs. Admin., *National Vaccine Injury Compensation Program Data Report* (Jan. 1, 2026), available at <https://www.hrsa.gov/sites/default/files/hrsa/vicp/vicp-stats-01-01-26.pdf> (last visited Jan. 20, 2026).

¹¹⁷ *Id.*

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ Health Res. & Servs. Admin., *Covered Vaccines, Nat'l Vaccine Injury Comp. Program*, available at <https://www.hrsa.gov/vaccine-compensation/covered-vaccines> (last visited Jan. 20, 2026).

¹²¹ Ctrs. for Disease Control & Prevention, *About the Vaccines for Children (VFC) Program* (Sept. 30, 2025), available at <https://www.cdc.gov/vaccines-for-children/about/index.html> (last visited Jan. 20, 2026).

¹²² *Id.*

FDA Regulation of Vaccines

Vaccines are regulated as biological products. The FDA licenses (approves) vaccines for introduction into interstate commerce.¹²³ In general terms, the FDA evaluates evidence of safety, effectiveness, and manufacturing quality to determine whether a vaccine may be marketed in the U.S.¹²⁴

Before a vaccine may be evaluated by the FDA for licensure, it typically proceeds through preclinical testing and clinical development:¹²⁵

- Preclinical phase. A company or researcher conducts laboratory research and animal testing. If the sponsor is ready to begin studies in humans, it submits an Investigational New Drug application to the FDA. If the application meets the FDA's criteria and is authorized to proceed, clinical development begins and the vaccine enters phased human trials.
- Phase 1 (safety). Generally involves 20-100 healthy volunteers and focuses on initial safety and dosing. If no significant safety concerns arise, the product may proceed to Phase 2.
- Phase 2 (initial efficacy). Generally involves hundreds of participants and evaluates dosing, immune response, and additional safety data across broader demographic groups.
- Phase 3 (confirmatory efficacy and safety). Generally involves thousands of participants and is designed to generate the principal evidence of effectiveness and additional safety data. Participants are randomized into a treatment group and a control group to generate critical information on effectiveness and additional important safety data. The treatment group gets the vaccine and the control group gets the placebo. For a new vaccine, the placebo is saline or similar. In the case of childhood vaccinations, the currently given vaccinations are updated versions of older vaccines. When updated versions of older vaccines are tested in trials, the treatment group gets the new vaccine and the control group gets the old vaccine as the placebo.¹²⁶

After Phase 3, the sponsor generally submits a biologics license application for FDA review of data, proposed labeling, and manufacturing.¹²⁷ If the FDA approves the application and licenses the vaccine, the product may be marketed and distributed in interstate commerce.¹²⁸ Once distribution begins, the FDA and the CDC continue post-licensure safety monitoring through systems such as VAERS.

¹²³ 42 U.S.C. § 262; 21 C.F.R. § 601.2. See also U.S. Food and Drug Administration, *Biologics License Applications (BLA) Process (CBER)*, available at <https://www.fda.gov/vaccines-blood-biologics/development-approval-process-cber/biologics-license-applications-bla-process-cber> (last visited Jan. 15, 2026).

¹²⁴ U.S. Food and Drug Administration, *Vaccine Development 101*, available at <https://www.fda.gov/vaccines-blood-biologics/development-approval-process-cber/vaccine-development-101> (last visited Jan. 27, 2026).

¹²⁵ *Id.*

¹²⁶ It is considered unethical to deny individuals in a trial access to a proven treatment. U.S. Food & Drug Admin., *Non-Inferiority Clinical Trials to Establish Effectiveness* (explaining that active-controlled/noninferiority designs are used when placebo/no-treatment would be unethical because effective therapy exists), available at <https://www.fda.gov/media/78504/download> (last visited Jan. 20, 2026).

¹²⁷ U.S. Food and Drug Administration, *Vaccine Development 101*, available at <https://www.fda.gov/vaccines-blood-biologics/development-approval-process-cber/vaccine-development-101> (last visited Jan. 27, 2026).

¹²⁸ *Id.*

Ivermectin

As of September 30, 2025, the DOH has received 59 total complaints involving licensed health care practitioners related to the prescribing or dispensing of ivermectin. The DOH reports that none of these complaints were deemed legally sufficient for probable cause to be found.

FDA Approval of Ivermectin (for Treatment of Parasitic Conditions)

The FDA website details how the ivermectin drug is used: “Ivermectin tablets are approved by the FDA to treat people with intestinal strongyloidiasis and onchocerciasis, two conditions caused by parasitic worms. In addition, some topical forms of ivermectin are approved to treat external parasites like head lice and for skin conditions such as rosacea. Some forms of animal ivermectin¹²⁹ are approved to prevent heartworm disease and treat certain internal and external parasites in animals. It’s important to note that these products are different from the ones for people, and safe only when used in animals as labeled or as prescribed. The FDA has not authorized or approved ivermectin for the treatment or prevention of COVID-19 in people or animals. The FDA has not determined that ivermectin is safe or effective for these indications (uses).”¹³⁰

Similar to how the FDA licenses vaccines and other (“large-molecule”) biologics, the FDA also authorizes most conventional (“small-molecule”) drugs for marketing by approving a New Drug Application.¹³¹ After pre-clinical testing and with approval to proceed, the drug sponsor runs a series of clinical trials in people (typically Phase 1-3) to evaluate safety and efficacy, and then submits those data to the FDA for review.¹³² The FDA’s review teams then evaluate the submitted evidence (along with manufacturing and labeling information) and decide whether the benefits outweigh the risks for the intended use.¹³³

The FDA has granted marketing approval for ivermectin tablets for specified parasitic worm conditions.¹³⁴ Those FDA-approved indications are the drug’s “on-label” uses. However, a licensed prescriber has the authority to prescribe an FDA-approved human drug for an off-label use when, in the prescriber’s professional judgment, such use is medically appropriate for an individual patient.¹³⁵

¹²⁹ Heartgard, Heartgard Plus, Tri-Heart Plus, Iverhart Plus, Iverhart Max, PetTrust Plus, Aicarexx, Ivomec, Zimecterin, Eqvalan, Noromectin, Bimectin, etc.

¹³⁰ U.S. Food and Drug Administration, *Ivermectin and COVID-19* (Apr. 5, 2024),

<https://www.fda.gov/consumers/consumer-updates/ivermectin-and-covid-19> (last visited Jan. 23, 2026).

¹³¹ 21 U.S.C. § 355.; U.S. Food and Drug Administration, 21 C.F.R. pt. 314; Food and Drug Administration, *New Drug Application (NDA)*, available at <https://www.fda.gov/drugs/types-applications/new-drug-application-nda> (last visited Jan. 20, 2026).

¹³² U.S. Food and Drug Administration, Step 3: Clinical Research, available at <https://www.fda.gov/patients/drug-development-process/step-3-clinical-research> (last visited Jan. 20, 2026).

¹³³ U.S. Food and Drug Administration, *Step 4: FDA Drug Review*, <https://www.fda.gov/patients/drug-development-process/step-4-fda-drug-review>.

¹³⁴ U.S. Food and Drug Administration, *Ivermectin and COVID-19* (Apr. 5, 2024), <https://www.fda.gov/consumers/consumer-updates/ivermectin-and-covid-19> (last visited Jan. 23, 2026).

¹³⁵ U.S. Food and Drug Administration, *Compliance Policy Guide Sec. 300.600: Use of Approved Drugs for Unlabeled Indications*; United States Supreme Court, *Buckman Co. v. Plaintiffs’ Legal Committee*, 531 U.S. 341, 350 (2001).

The FDA at one time led a “You are not a horse!” social media campaign attempting to deter people from using both animal ivermectin drugs and FDA-approved prescription ivermectin drugs as an off-label COVID-19 treatment.¹³⁶ The campaign gave rise to litigation clarifying the role of the FDA. The U.S. Court of Appeals for the Fifth Circuit opined that the “FDA is not a physician. It has authority to inform, announce, and apprise—but not to endorse, denounce, or advise.”¹³⁷

The American Association of Poison Control Centers reported 2,337 ivermectin poison control reports nationally in 2021.¹³⁸ One of the clearest datasets tying veterinary ivermectin to severe outcomes comes from Oregon. A poison center study of COVID-19-related ivermectin exposures that led to a health care visit (Aug. 14, 2021–Jan. 31, 2022) reported 37 cases, including 21 hospitalizations, 13 treated in emergency departments, and one death. Seventeen cases involved veterinary formulations, and 15 involved prescription-only tablets.¹³⁹

Clinical Studies: Ivermectin and COVID-19

Early in the COVID-19 pandemic, ivermectin drew attention because a mix of small clinical studies and early meta-analyses appeared to show benefit, but the limited evidence and its underlying data sets were highly disputed. A CDC health alert issued on August 26, 2021, explained: “Clinical trials and observational studies to evaluate the use of ivermectin to prevent and treat COVID-19 in humans have yielded insufficient evidence for the NIH COVID-19 Treatment Guidelines Panel to recommend its use. Data from adequately sized, well-designed, and well-conducted clinical trials are needed to provide more specific, evidence-based guidance on the role of ivermectin in the treatment of COVID-19.”¹⁴⁰

As the evidence base matured, larger, better-controlled randomized trials did not confirm those early signals that appeared to show benefits of off-label ivermectin use. In the TOGETHER outpatient trial, ivermectin did not reduce the need for hospitalization or prolonged emergency observation.¹⁴¹ In the U.S. ACTIV-6 platform trial, which included a participation site at the University of Florida, ivermectin likewise did not improve time to sustained recovery, even when tested at higher doses and longer courses.¹⁴²

¹³⁶ *Apter v. Dep’t of Health & Hum. Servs.*, 80 F.4th 579, 595 (5th Cir. 2023), also available at <https://www.ca5.uscourts.gov/opinions/pub/22/22-40802-CV0.pdf>.

¹³⁷ *Id.*

¹³⁸ American Association of Poison Control Centers, *National Poison Data System (NPDS) Bulletin: COVID-19 (Ivermectin)—Ivermectin Case Counts 2019 vs. 2020 vs. 2021 (Jan. 1–Dec. 31)* (2021), available at <https://npr.brightspotcdn.com/06/8e/72f45189455ea8d3561012b1608e/poisoncontrolpdf.pdf> (last visited Jan. 27, 2026).

¹³⁹ Ruby Hoang et al., *Characteristics of Ivermectin Toxicity in Patients Taking Veterinary and Human Formulations for the Prevention and Treatment of COVID-19*, *Clinical Toxicology* (Phila.) 60(12):1350–1355 (Dec. 2022), available at <https://pubmed.ncbi.nlm.nih.gov/36374218/> (last visited Jan. 27, 2026).

¹⁴⁰ Ctrs. for Disease Control & Prevention, Health Alert Network (HAN), *Rapid Increase in Ivermectin Prescriptions and Reports of Severe Illness Associated with Use of Products Containing Ivermectin to Prevent or Treat COVID-19* (Aug. 26, 2021), available at https://archive.cdc.gov/emergency_cdc_gov/han/2021/han00449.asp (last visited Jan. 20, 2026).

¹⁴¹ Gilmar Reis et al., *Effect of Early Treatment with Ivermectin among Patients with Covid-19*, *New England Journal of Medicine* (published online Mar. 30, 2022), available at <https://www.nejm.org/doi/full/10.1056/NEJMoa2115869>.

¹⁴² Popp M. et al., *Ivermectin for COVID-19: Systematic Review and Meta-Analysis of Randomized Controlled Trials*, *Frontiers in Medicine* (2023), available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC9941969/> (last visited Jan. 27, 2026).

See also University of Florida, Division of Pulmonary, Critical Care & Sleep Medicine, *UF Health Joins National Study to Test COVID-19 Treatments* (Mar. 23, 2022), available at <https://pulmonary.medicine.ufl.edu/2022/03/23/uf-health-joins-national-study-to-test-covid-19-treatments/> (last visited Jan. 18, 2026).

Because the most rigorous trials have failed to demonstrate meaningful clinical benefit, clinical guidelines largely do not recommend ivermectin for COVID-19 outside of research settings.¹⁴³

Ivermectin Classified as Rx-Only Status; Federal Misbranding

When the FDA approves a drug application for marketing, the agency also determines whether the product will be prescription-only or nonprescription (over-the-counter or “OTC”), and it approves the product’s conditions of use and labeling consistent with that status. Under the Federal Food, Drug, and Cosmetic Act, a drug is classified as prescription-only if it is not safe for use without a clinician’s supervision (e.g., due to toxicity, method of use, or required monitoring), and prescription drugs must bear the “Rx only” legend consistent with this statutory scheme.¹⁴⁴ If a drug sponsor later seeks to move a drug from prescription to nonprescription status, that occurs through a separate Rx-to-OTC switch process that typically relies on consumer-focused evidence (e.g., label comprehension and self-selection studies, and sometimes actual-use studies) to show the product can be used safely and effectively without a prescriber.¹⁴⁵

Ivermectin remains classified federally as a prescription drug for human use. Federal law requires that, prior to dispensing, the drug’s labeling bear the legend “Rx only.” A prescription drug that does not bear this legend before dispensing is deemed misbranded under federal law. Ivermectin is generally well tolerated when used at FDA-approved doses for approved indications; however, adverse effects may occur and can be dose-related. The FDA has warned that ivermectin can interact with other medications, including anticoagulants (“blood thinners”).¹⁴⁶ These interaction risks are particularly relevant when ivermectin is obtained without individualized prescriber oversight, as patients taking anticoagulants may not recognize the potential for increased bleeding risk.

For purposes of labeling and misbranding law, nonprescription (OTC) drug labeling must “stand on its own” for a lay consumer and must include adequate directions for use so that an ordinary person can use the product safely and for its intended purpose without professional supervision.¹⁴⁷ By contrast, prescription (Rx-only) drugs are intended to be used under the supervision of a licensed practitioner and therefore generally fall within the FDA’s regulatory exemptions from the “adequate directions for use” requirement, because such directions cannot feasibly be written for safe self-use by the general public. As a result, attempts to market a product for self-directed use without consumer-usable directions (or with labeling that implies an

¹⁴³ Am. Med. Ass’n, *AMA, APhA, ASHP Statement on Ending Use of Ivermectin to Treat COVID-19* (Sept. 1, 2021), available at <https://www.ama-assn.org/press-center/ama-press-releases/ama-apha-ashp-statement-ending-use-ivermectin-treat-covid-19> (last visited Jan. 20, 2026).

¹⁴⁴ 21 U.S.C. § 353(b)(1)(A), (b)(4)(A).

¹⁴⁵ U.S. Food & Drug Admin., *Prescription-to-Nonprescription (Rx-to-OTC) Switches* (content current as of Dec. 9, 2025), available at <https://www.fda.gov/drugs/drug-application-process-nonprescription-drugs/prescription-nonprescription-rx-otc-switches> (last visited Jan. 20, 2026).

¹⁴⁶ U.S. Food and Drug Administration, *Ivermectin and COVID-19* (Apr. 5, 2024), <https://www.fda.gov/consumers/consumer-updates/ivermectin-and-covid-19> (last visited Jan. 23, 2026).

¹⁴⁷ U.S. Food & Drug Admin., *Labeling Requirements—Exemptions From Adequate Directions for Use* (content current as of Feb. 21, 2018), available at <https://www.fda.gov/medical-devices/general-device-labeling-requirements/labeling-requirements-exemptions-adequate-directions-use> (last visited Jan. 20, 2026).

OTC use that actually requires practitioner oversight) raise heightened misbranding risk under federal labeling standards.

State Trends in Ivermectin Laws

When a state authorizes a pharmacist to furnish a prescription drug without a patient-specific prescription, questions arise as to whether the transaction constitutes “dispensing” under state law and what labeling and documentation requirements apply, particularly in light of the federal “Rx only” classification.

Several states have enacted laws authorizing pharmacists to provide ivermectin without an individual patient-specific prescription, notwithstanding ivermectin’s federal prescription-only status. These laws generally fall into two models: an OTC authorization declaring that ivermectin suitable for human use may be sold or purchased without a prescription, or a standing order or collaborative practice model authorizing dispensing pursuant to a non-patient-specific prescriptive order or protocol.

III. Effect of Proposed Changes:

Section 1 creates a short title. The act may be cited as the “Medical Freedom Act.”

Section 2 amends s. 381.00315(2)(d)4., F.S. That statute currently provides that the State Surgeon General, upon declaration of a public health emergency, may order an individual to be treated for communicable diseases that have significant morbidity or mortality and present a severe danger to public health. The bill amends this subparagraph to clarify that the State Surgeon General’s authority to order an individual to be treated does not include authority to order the individual to be vaccinated.

In 2021, the Legislature amended the statute to remove the State Surgeon General’s overt authority to order an individual to be vaccinated for such a disease.¹⁴⁸ Although the State Surgeon General’s authority to order an individual to be vaccinated was already removed from this section, this bill goes a step further to state that limitation affirmatively. The bill forecloses negative-implication and prevents arguments that vaccination is simply a form of “treatment” authorized within that section.

Section 3 amends s. 456.0575, F.S., to revise procedures surrounding vaccinations of minor children.

“Health care practitioner” is defined for ch. 456, F.S., in s. 456.001(4), F.S.,¹⁴⁹ but only the following professions are granted authority in their respective practice acts to administer vaccinations to minors: allopathic physicians and physician assistants, osteopathic physicians and physician assistants, registered nurses, advanced practice registered nurses, and licensed practical nurses.

¹⁴⁸ Chapter 2021-7B, Laws of Fla.

¹⁴⁹ Section 456.001(4), F.S. “Health care practitioner” means any person licensed under chapter 457; chapter 458; chapter 459; chapter 460; chapter 461; chapter 462; chapter 463; chapter 464; chapter 465; chapter 466; chapter 467; part I, part II, part III, part V, part X, part XIII, or part XIV of chapter 468; chapter 478; chapter 480; part I, part II, or part III of chapter 483; chapter 484; chapter 486; chapter 490; or chapter 491.

Under s. 401.272(2)(c), F.S., paramedics may administer immunizations in a nonemergency environment, within the scope of their training, and under the medical direction of a physician through two-way communication or pursuant to established standing orders or protocols.

Under the bill, before administering a vaccine to a minor child, such health care practitioner or paramedic must:

- Provide the child's parent or guardian with information on the risks, benefits, safety, and efficacy of each vaccine being administered, using materials approved and adopted by joint rule of the Board of Medicine and the Board of Osteopathic Medicine (collectively, the Boards).
- Obtain the signature of the parent or guardian acknowledging receipt of those informational materials.

The Boards will need to jointly determine how to convey to parents the risks, benefits, safety, and efficacy of each vaccine that may be administered to a minor child.

The National Childhood Vaccine Injury Act establishes a federal requirement for health care providers to provide a Vaccine Information Statement (VIS) to a child's parent or guardian prior to administration of vaccines covered by the Act, a category that includes most routine pediatric immunizations and flu shots.¹⁵⁰ Federal law requires providers to record in the medical record that the VIS (or other required patient information, as applicable) was provided, including the date it was given and the VIS edition (publication) date.

Combined with the requirements in the bill, the provider must document in the medical record that the federal information materials as described were provided and obtain the signature of the parent or guardian acknowledging receipt of the Board's approved informational materials.

Unless the Boards jointly approve the applicable VIS as the bill's required informational materials for each vaccine, the informational materials required to be presented to parents under the bill will be provided in addition to the federally-required VISs.

If more than one vaccine is to be administered, the bill requires a health care practitioner to discuss the timing of multiple vaccinations with the child's parent or guardian and the parent or guardian's options for such timing before administering the initial vaccination. The bill affirmatively authorizes the health care practitioner to administer vaccines to a child over multiple encounters if the parent or guardian requests it.

The Department of Health (DOH) has indicated that the Board of Medicine, Board of Osteopathic Medicine, Board of Nursing, and Board of Pharmacy may need to amend their disciplinary guideline rules to create a range of penalties for violating the new requirements in s. 456.0575, F.S., as amended by the bill.¹⁵¹

¹⁵⁰ While COVID-19 vaccines are not NCVIA-covered vaccines, CDC guidance indicates that vaccinators should provide the COVID-19 VIS before each dose. U.S. Ctrs. for Disease Control & Prevention, *COVID-19 Vaccines by Product*, available at <https://www.cdc.gov/vaccines/covid-19/info-by-product/index.html> (last visited Jan. 20, 2026).

¹⁵¹ Florida Department of Health, *Legislative Bill Analysis: SB 1756* (Jan. 22, 2026) (On file with Senate Committee on Health Policy).

Section 4 provides that the amendments to s. 456.0575(2)(a) and (b), F.S., in section 3 of the bill relating to information that must be provided to parents or guardians before vaccinating a minor, become effective 30 days after the Board of Medicine and the Board of Osteopathic Medicine adopt the informational materials by joint rule. The Boards must notify the Division of Law Revision immediately upon adoption. The bill, if enacted, would take effect before the informational materials are finalized. This delayed effective date relating to the informational materials ensures that practitioners and paramedics can continue to provide vaccinations to minors with parental consent, as generally required for the provision of all health care services pursuant to s. 1014.06, F.S., while the materials are being developed by the boards.

Sections 5, 6, and 7 create ss. 458.3351, 459.0156, and 464.0181, F.S., respectively, to grant immunity from civil or criminal liability and disciplinary action under Florida law to a health care practitioner licensed under chs. 458, 459, or 464, F.S., whose license includes prescribing authority, for prescribing or administering ivermectin¹⁵² to an adult, in good faith, in accordance with the applicable practice act and pertinent rules.

Section 5 grants such immunities to allopathic physicians, and physician assistants delegated prescriptive authority by their supervising physician, licensed under ch. 458, F.S.

Section 6 grants such immunities to osteopathic physicians, and physician assistants delegated prescriptive authority by their supervising physician, licensed under ch. 459, F.S.

Section 7 grants such immunities to advance practice registered nurses (APRNs) operating within the framework of an established protocol, or autonomous APRNs, licensed under ch. 464, F.S.

Section 8 amends the Florida Pharmacy Act by creating s. 465.1897, F.S., to authorize a licensed pharmacist to provide ivermectin¹⁵³ to a person who is 18 years of age or older without a prescription as a behind-the-counter medication until the U.S. Food and Drug Administration (FDA) approves ivermectin for over-the-counter sale. Current prescription-only ivermectin drugs include oral tablets for the treatment of parasitic conditions and topical ivermectin for the treatment of rosacea.

Before providing ivermectin under this provision, the pharmacist must provide written information regarding indications and contraindications, appropriate dosage, and the need to seek follow-up care from the person's primary care physician. Because the FDA has classified all tablet forms and some topical forms of ivermectin as prescription-only drugs, meaning that the drugs may be dispensed to a specific patient pursuant to a practitioner's prescription and used under that practitioner's supervision, they are exempted from federal "adequate directions for use" requirements. This exemption would no longer apply if they were to be dispensed without a prescription.

¹⁵² These sections address ivermectin broadly and could be interpreted to encompass all formulations for on- and off-label use, including drugs manufactured for human use and animal use.

¹⁵³ The bill does not specify whether the ivermectin authorized to be dispensed by pharmacists under this section must be manufactured for human use.

The bill provides that a pharmacist acting in good faith is immune from civil or criminal liability or disciplinary action for providing ivermectin to an adult in accordance with this portion of the bill. However, any prescription drugs so dispensed would be misbranded in violation of federal law.¹⁵⁴ Although the bill provides protection from state actions, a pharmacist or pharmacy acting in accordance with this section would risk federal enforcement.

The Board of Pharmacy is authorized, but not required, to adopt rules to implement this new section of law.

Section 9 amends s. 1003.22, F.S., to create a statutory nonmedical exemption from immunization requirements for a child attending a K-12 school if the administration of immunizing agents conflicts with the parent's conscience.

Like the existing religious exemption, the conscience exemption would also be available to children attending preschool or day care in a child care facility¹⁵⁵ or family day care home facility¹⁵⁶ who are subject to immunization requirements pursuant to rules of the Department of Children and Families.

Under the bill, a single nonmedical exemption form would provide for both conflicts with religious tenets or practices and conflicts with conscience.¹⁵⁷ In accordance with current DOH rule for the religious exemption form, the new form must be approved and provided by the DOH.

The bill statutorily requires the nonmedical exemption form to be made available on the DOH website. Nothing in current law prevents the DOH from making the form available on its website today. Under the bill, the DOH would be required to do something it may already do of its own volition but has chosen not to.

A parent seeking a nonmedical exemption must obtain a signature from the director or administrator of the county health department pursuant to existing DOH rule before presenting the form to the school or facility, as required by the bill and in accordance with rule, effectively exempting their child from immunization requirements.

The bill makes a technical change to paragraph (5)(b) regarding a permanent medical exemption to clarify that a child may be exempt from one or more required immunizations, which is in accordance with Part C of the DOH's current Certificate of Immunization Form.

The bill also makes a technical change to paragraph (5)(c) to correct verbiage providing that a child who has a temporary medical exemption, which may be issued by an allopathic physician,

¹⁵⁴ See Constitutional Issues. See Present Situation: Ivermectin Classified as Rx-Only Status; Federal Misbranding.

¹⁵⁵ Fla. Dep't of Children & Fams., *Child Care Facility Handbook*, <https://flrules.org/Gateway/reference.asp?No=Ref-13928> (last visited Jan. 20, 2026).

¹⁵⁶ Section 402.313, F.S.

¹⁵⁷ Neither the bill nor the Florida Statutes define the term "conscience." Section 381.00321(1)(b), F.S., defines the term "conscience-based objection" for purposes of that section as an objection based on a sincerely held religious, moral, or ethical belief." One Merriam-Webster definition of "conscience" is "conformity to what one considers to be correct, right, or morally good." Merriam-Webster, *Conscience*, available at <https://www.merriam-webster.com/dictionary/conscience> (last visited Jan. 20, 2026).

an osteopathic physician, or a chiropractic physician under current law, is in the process of completing the other required immunizations. The bill conforms to Part B of the DOH's current Certificate of Immunization Form.

The bill makes other non-substantive edits to improve clarity within this statutory section and to improve consistency within the statutes. For example, the bill replaces "permit" with "allow" to clarify that no formal permit is issued, and hyphens are added to "follow-up."

Section 10 provides an effective date of July 1, 2026.

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:

Because the bill authorizes behind-the-counter access to an U.S. Food and Drug Administration (FDA) Rx-only ivermectin product, a court could find conflict preemption under the Supremacy Clause because the state authorization would permit conduct that federal law treats as unlawful misbranding for prescription-only drugs. *See Present Situation: Ivermectin.*

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/SB 1756 requires the Board of Medicine and the Board of Osteopathic Medicine to jointly adopt informational materials to convey to parents the risks, benefits, safety, and efficacy of each vaccine that may be administered to a minor child. The Department of Health (DOH) will be required under the bill to update its Immunization Guidelines and its Exemption from Immunization for Religion form. The Department of Children and Families will need to update its handbooks for childcare facilities and family day care home. It is expected that these operational impacts may be absorbed within existing resources.¹⁵⁸

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 381.00315, 456.0575, and 1003.22.

This bill creates the following sections of the Florida Statutes: 458.3351, 459.0156, 464.0181, and 465.1897.

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 Health Policy on January 26, 2026:**

The committee substitute adds provisions not found in the underlying bill to grant immunity from civil or criminal liability and for disciplinary action under Florida law to health care practitioners licensed under chs. 458, 459, or 464, F.S., whose license includes prescribing authority, for prescribing or administering ivermectin to an adult, in good faith, in accordance with the applicable chapter under which the practitioner is licensed and rules pertaining to his or her practice.

B. Amendments:

None.

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

¹⁵⁸ Florida Department of Health, *Legislative Bill Analysis: SB 1756* (Jan. 22, 2026) (On file with Senate Committee on Health Policy)

By the Committee on Health Policy; and Senator Yarborough

588-02218-26

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1 A bill to be entitled
 2 An act relating to medical freedom; providing a short
 3 title; amending s. 381.00315, F.S.; providing
 4 construction; amending s. 456.0575, F.S.; requiring
 5 certain health care practitioners and paramedics to,
 6 before administering a vaccine to a minor child,
 7 inform the parent or legal guardian of certain
 8 information using materials approved and adopted by
 9 joint rule of the Board of Medicine and the Board of
 10 Osteopathic Medicine; requiring such practitioners and
 11 paramedics to obtain the signature of a minor child's
 12 parent or guardian acknowledging receipt of such
 13 information; requiring health care practitioners to
 14 discuss certain information with a minor child's
 15 parent or guardian when more than one vaccine is to be
 16 administered; authorizing a health care practitioner,
 17 at the request of the parent or guardian, to
 18 administer the vaccines to the minor child over
 19 multiple encounters; providing that specified
 20 amendments made by the act to s. 456.0575, F.S., take
 21 effect within a specified timeframe after the Board of
 22 Medicine and the Board of Osteopathic Medicine adopt
 23 certain materials by joint rule; requiring the boards
 24 to immediately notify the Division of Law Revision of
 25 their adoption of such materials; creating ss.
 26 458.3351, 459.0156, and 464.0181, F.S.; providing
 27 certain health care practitioners immunity from civil
 28 and criminal liability and disciplinary action for
 29 prescribing or administering ivermectin to adults

Page 1 of 11

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588-02218-26

20261756c1

30 under certain circumstances; creating s. 465.1897,
 31 F.S.; authorizing pharmacists to provide ivermectin to
 32 adults without a prescription as a behind-the-counter
 33 medication until the United States Food and Drug
 34 Administration approves it for over-the-counter sale;
 35 requiring pharmacists to provide specified information
 36 before providing the ivermectin; providing pharmacists
 37 acting in good faith with immunity from civil and
 38 criminal liability and disciplinary action for
 39 providing ivermectin to adults; authorizing the Board
 40 of Pharmacy to adopt rules; amending s. 1003.22, F.S.;
 41 revising exemptions from school-entry immunization
 42 requirements; requiring the Department of Health to
 43 make the immunization exemption form for religious or
 44 conscience-based exemptions publicly available on its
 45 website; specifying procedures and requirements for
 46 receiving such exemptions; revising requirements and
 47 procedures for declarations of a communicable disease
 48 emergency; providing an effective date.
 49
 50 Be It Enacted by the Legislature of the State of Florida:
 51
 52 Section 1. This act may be cited as the "Medical Freedom
 53 Act."
 54 Section 2. Paragraph (d) of subsection (2) of section
 55 381.00315, Florida Statutes, is amended to read:
 56 381.00315 Public health advisories; public health
 57 emergencies; isolation and quarantines.—The State Health Officer
 58 is responsible for declaring public health emergencies, issuing

Page 2 of 11

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588-02218-26 20261756c1

59 public health advisories, and ordering isolation or quarantines.

60 (2)

61 (d) The State Health Officer, upon declaration of a public
62 health emergency, may take actions that are necessary to protect
63 the public health. Such actions include, but are not limited to:

64 1. Directing manufacturers of prescription drugs or over-
65 the-counter drugs who are permitted under chapter 499 and
66 wholesalers of prescription drugs located in this state who are
67 permitted under chapter 499 to give priority to the shipping of
68 specified drugs to pharmacies and health care providers within
69 geographic areas identified by the State Health Officer. The
70 State Health Officer must identify the drugs to be shipped.
71 Manufacturers and wholesalers located in the state must respond
72 to the State Health Officer's priority shipping directive before
73 shipping the specified drugs.

74 2. Notwithstanding chapters 465 and 499 and rules adopted
75 thereunder, directing pharmacists employed by the department to
76 compound bulk prescription drugs and provide these bulk
77 prescription drugs to physicians and nurses of county health
78 departments or any qualified person authorized by the State
79 Health Officer for administration to persons as part of a
80 prophylactic or treatment regimen.

81 3. Notwithstanding s. 456.036, temporarily reactivating the
82 inactive license of the following health care practitioners,
83 when such practitioners are needed to respond to the public
84 health emergency: physicians licensed under chapter 458 or
85 chapter 459; physician assistants licensed under chapter 458 or
86 chapter 459; licensed practical nurses, registered nurses, and
87 advanced practice registered nurses licensed under part I of

Page 3 of 11

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588-02218-26 20261756c1

88 chapter 464; respiratory therapists licensed under part V of
89 chapter 468; and emergency medical technicians and paramedics
90 certified under part III of chapter 401. Only those health care
91 practitioners specified in this paragraph who possess an
92 unencumbered inactive license and who request that such license
93 be reactivated are eligible for reactivation. An inactive
94 license that is reactivated under this paragraph shall return to
95 inactive status when the public health emergency ends or before
96 the end of the public health emergency if the State Health
97 Officer determines that the health care practitioner is no
98 longer needed to provide services during the public health
99 emergency. Such licenses may only be reactivated for a period
100 not to exceed 90 days without meeting the requirements of s.
101 456.036 or chapter 401, as applicable.

102 4. Ordering an individual to be examined, tested, treated,
103 isolated, or quarantined for communicable diseases that have
104 significant morbidity or mortality and present a severe danger
105 to public health. Individuals who are unable or unwilling to be
106 examined, tested, or treated for reasons of health, religion, or
107 conscience may be subjected to isolation or quarantine. For the
108 purposes of this subparagraph, the State Health Officer's
109 authority to treat or order treatment does not include the
110 authority to order a vaccination.

111 a. Examination, testing, or treatment may be performed by
112 any qualified person authorized by the State Health Officer.

113 b. If the individual poses a danger to the public health,
114 the State Health Officer may subject the individual to isolation
115 or quarantine. If there is no practical method to isolate or
116 quarantine the individual, the State Health Officer may use any

Page 4 of 11

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588-02218-26

20261756c1

117 means necessary to treat the individual.

118 c. Any order of the State Health Officer given to
119 effectuate this paragraph is immediately enforceable by a law
120 enforcement officer under s. 381.0012.

121 Section 3. Section 456.0575, Florida Statutes, is amended
122 to read:

123 456.0575 Duty to notify patients.—

124 (1) ADVERSE INCIDENTS.—A ~~Every licensed~~ health care
125 practitioner shall inform each patient, or an individual
126 identified pursuant to s. 765.401(1), in person about adverse
127 incidents that result in serious harm to the patient.
128 Notification of outcomes of care that result in harm to the
129 patient under this section does not constitute an acknowledgment
130 of admission of liability, nor can such notifications be
131 introduced as evidence.

132 (2) VACCINATIONS OF MINORS.—

133 (a) Each health care practitioner authorized by law to
134 administer vaccines, and each paramedic acting pursuant to s.
135 401.272, shall, before administering a vaccine to a minor child,
136 provide the parent or guardian with information on the risks,
137 benefits, safety, and efficacy of each vaccine being
138 administered, using materials approved and adopted by joint rule
139 of the Board of Medicine and the Board of Osteopathic Medicine.

140 (b) Before administering a vaccine or vaccines to a minor
141 child, the health care practitioner or paramedic must obtain the
142 signature of the parent or guardian acknowledging receipt of the
143 information required under paragraph (a).

144 (c) When more than one vaccine is to be administered, the
145 health care practitioner shall discuss the timing of multiple

588-02218-26

20261756c1

146 vaccinations with the child's parent or guardian and the
147 parent's or guardian's options for such timing before
148 administering the initial vaccination. At the request of the
149 parent or guardian, such a health care practitioner may
150 administer vaccines to the minor child over multiple encounters.

151 (3) GOOD FAITH ESTIMATE OF CHARGES.—Upon request by a
152 patient, before providing nonemergency medical services in a
153 facility licensed under chapter 395, a health care practitioner
154 shall provide, in writing or by electronic means, a good faith
155 estimate of reasonably anticipated charges to treat the
156 patient's condition at the facility. The health care
157 practitioner shall provide the estimate to the patient within 7
158 business days after receiving the request and is not required to
159 adjust the estimate for any potential insurance coverage. The
160 health care practitioner shall inform the patient that the
161 patient may contact his or her health insurer or health
162 maintenance organization for additional information concerning
163 cost-sharing responsibilities. The health care practitioner
164 shall provide information to uninsured patients and insured
165 patients for whom the practitioner is not a network provider or
166 preferred provider which discloses the practitioner's financial
167 assistance policy, including the application process, payment
168 plans, discounts, or other available assistance, and the
169 practitioner's charity care policy and collection procedures.
170 Such estimate does not preclude the actual charges from
171 exceeding the estimate. Failure to provide the estimate in
172 accordance with this subsection, without good cause, shall
173 result in disciplinary action against the health care
174 practitioner and a daily fine of \$500 until the estimate is

588-02218-26 20261756c1

175 provided to the patient. The total fine may not exceed \$5,000.

176 Section 4. The amendments made by this act to s.
 177 456.0575(2) (a) and (b), Florida Statutes, relating to
 178 information that must be provided to parents or guardians before
 179 the administration of a vaccination to a minor are effective 30
 180 days after the Board of Medicine and the Board of Osteopathic
 181 Medicine adopt by joint rule the informational materials as
 182 required under that subsection. The Board of Medicine and the
 183 Board of Osteopathic Medicine shall notify the Division of Law
 184 Revision immediately upon their adoption of such materials.

185 Section 5. Section 458.3351, Florida Statutes, is created
 186 to read:

187 458.3351 Prescription or administration of ivermectin.—A
 188 health care practitioner who is licensed under this chapter and
 189 whose license includes prescribing authority is immune from
 190 civil or criminal liability or disciplinary action for
 191 prescribing or administering ivermectin to an adult in good
 192 faith in accordance with this chapter and rules pertaining to
 193 his or her practice.

194 Section 6. Section 459.0156, Florida Statutes, is created
 195 to read:

196 459.0156 Prescription or administration of ivermectin.—A
 197 health care practitioner who is licensed under this chapter and
 198 whose license includes prescribing authority is immune from
 199 civil or criminal liability or disciplinary action for
 200 prescribing or administering ivermectin to an adult in good
 201 faith in accordance with this chapter and rules pertaining to
 202 his or her practice.

203 Section 7. Section 464.0181, Florida Statutes, is created

588-02218-26 20261756c1

204 to read:

205 464.0181 Prescription or administration of ivermectin.—A
 206 health care practitioner who is licensed under this chapter and
 207 whose license includes prescribing authority is immune from
 208 civil or criminal liability or disciplinary action for
 209 prescribing or administering ivermectin to an adult in good
 210 faith in accordance with this chapter and rules pertaining to
 211 his or her practice.

212 Section 8. Section 465.1897, Florida Statutes, is created
 213 to read:

214 465.1897 Sale of ivermectin without a prescription.—

215 (1) A pharmacist may provide ivermectin to a person 18
 216 years of age or older without a prescription as a behind-the-
 217 counter medication until the United States Food and Drug
 218 Administration approves it for over-the-counter sale.

219 (2) Before providing ivermectin under this section, the
 220 pharmacist shall provide the person with written information
 221 regarding the indications and contraindications for ivermectin,
 222 the appropriate dosage, and the need to seek follow-up care from
 223 the person's primary care physician.

224 (3) A pharmacist acting in good faith is immune from civil
 225 or criminal liability or disciplinary action for providing
 226 ivermectin to an adult in accordance with this section.

227 (4) The board may adopt rules to implement this section.

228 Section 9. Subsections (5) and (9) of section 1003.22,
 229 Florida Statutes, are amended to read:

230 1003.22 School-entry health examinations; immunization
 231 against communicable diseases; exemptions; duties of Department
 232 of Health.—

588-02218-26

20261756c1

233 (5) A child is exempt from immunization requirements in
 234 subsection (3) ~~The provisions of this section shall not apply~~
 235 if:

236 (a) The parent of the child presents to the school, on a
 237 form approved and provided by the Department of Health and made
 238 available on its website, an attestation ~~objects in writing~~ that
 239 the administration of immunizing agents conflicts with the
 240 parent's ~~his or her~~ religious tenets or practices or conscience;

241 (b) A physician licensed under ~~the provisions of~~ chapter
 242 458 or chapter 459 certifies in writing, on a form approved and
 243 provided by the Department of Health, that the child should be
 244 permanently exempt from one or more of the required
 245 immunizations ~~immunization~~ for medical reasons stated in
 246 writing, based upon valid clinical reasoning or evidence,
 247 demonstrating the need for the permanent exemption;

248 (c) A physician licensed under ~~the provisions of~~ chapter
 249 458, chapter 459, or chapter 460 certifies in writing, on a form
 250 approved and provided by the Department of Health, that the
 251 child has received as many immunizations as are medically
 252 indicated at the time and is in the process of completing the
 253 other required ~~necessary~~ immunizations;

254 (d) The Department of Health determines that, according to
 255 recognized standards of medical practice, any required
 256 immunization is unnecessary or hazardous; or

257 (e) An authorized school official issues a temporary
 258 exemption, for up to 30 school days, to allow permit a student
 259 who transfers into a new county to attend class until his or her
 260 records can be obtained. Children and youths who are
 261 experiencing homelessness and children who are known to the

588-02218-26

20261756c1

262 department, as defined in s. 39.0016, shall be given a temporary
 263 exemption for 30 school days. The public school health nurse or
 264 authorized private school official is responsible for follow-up
 265 ~~followup~~ of each such student until proper documentation or
 266 immunizations are obtained. An exemption for 30 days may be
 267 issued for a student who enters a juvenile justice program to
 268 allow permit the student to attend class until his or her
 269 records can be obtained or until the immunizations can be
 270 administered ~~obtained~~. An authorized juvenile justice official
 271 is responsible for follow-up ~~followup~~ of each student who enters
 272 a juvenile justice program until proper documentation is
 273 obtained or immunizations are administered ~~obtained~~.

274 (9) The presence of any of the communicable diseases for
 275 which immunization is required under subsection (3) ~~by the~~
 276 ~~Department of Health~~ in a Florida public or private school
 277 authorizes ~~shall permit~~ the county health department director or
 278 administrator or the State Health Officer to declare a
 279 communicable disease emergency. The declaration of such
 280 emergency must ~~shall~~ mandate that all students attending in
 281 attendance in the school who have not been immunized against the
 282 diseases specified in subsection (3) or related Department of
 283 Health rules ~~are not in compliance with the provisions of this~~
 284 ~~section~~ be identified by the district school board or by the
 285 governing authority of the private school, ~~+~~ and the school
 286 health and immunization records of such children must ~~shall~~ be
 287 made available to the county health department director or
 288 administrator. ~~These~~ Children who are identified as not having
 289 been being immunized against the disease for which the emergency
 290 has been declared must ~~shall~~ be temporarily excluded from school

588-02218-26

20261756c1

291 attendance by the district school board, or the governing
292 authority of the private school, until ~~such time as is specified~~
293 ~~by~~ the county health department director or administrator
294 declares that the communicable disease emergency has ended.

295 Section 10. This act shall take effect July 1, 2026.