

1 A reviser's bill to be entitled
2 An act relating to the Florida Statutes; amending ss.
3 16.615, 17.076, 20.43, 25.077, 27.34, 27.54, 29.005,
4 29.006, 30.15, 39.001, 39.01, 39.0121, 39.0139,
5 39.2015, 39.202, 39.301, 39.303, 39.3031, 39.3035,
6 39.304, 39.3068, 39.307, 39.5086, 39.521, 105.036,
7 119.071, 121.71, 154.067, 159.834, 163.3177, 193.4615,
8 196.075, 196.1975, 210.03, 216.136, 218.135, 218.401,
9 220.11, 243.20, 259.105, 282.705, 288.9623, 316.614,
10 322.09, 328.76, 348.0012, 364.163, 373.206, 373.5905,
11 380.0651, 381.0072, 381.984, 383.3362, 383.402,
12 388.021, 391.026, 393.063, 395.1023, 395.1055,
13 395.4025, 397.6760, 400.235, 400.471, 400.4785,
14 400.991, 401.024, 402.305, 402.310, 402.56, 403.861,
15 408.036, 408.802, 408.820, 409.017, 409.145, 409.815,
16 409.9083, 440.45, 455.2286, 458.348, 459.025, 459.026,
17 468.432, 480.033, 483.285, 491.012, 501.011, 527.0201,
18 560.109, 578.08, 578.11, 578.13, 590.02, 624.509,
19 627.40951, 627.746, 634.436, 641.3107, 641.511,
20 655.825, 718.121, 736.0403, 825.101, 893.055,
21 893.0551, 900.05, 934.255, 943.0585, 943.1758,
22 944.115, 985.48, 1002.33, 1002.36, 1002.385, 1002.395,
23 1002.82, 1004.085, 1004.097, 1004.6495, 1005.03,
24 1005.06, 1006.061, 1007.24, 1007.273, 1008.31,
25 1009.89, 1011.69, 1011.71, 1012.2315, 1012.584, and

26 | 1013.62, F.S.; reenacting and amending s. 1006.12,
 27 | F.S.; and reenacting ss. 163.3164 and 893.13, F.S.;
 28 | deleting provisions that have expired, have become
 29 | obsolete, have had their effect, have served their
 30 | purpose, or have been impliedly repealed or
 31 | superseded; replacing incorrect cross-references and
 32 | citations; correcting grammatical, typographical, and
 33 | like errors; removing inconsistencies, redundancies,
 34 | and unnecessary repetition in the statutes; improving
 35 | the clarity of the statutes and facilitating their
 36 | correct interpretation; and revising statutory
 37 | provisions to conform to directives of the
 38 | Legislature; providing an effective date.

39 |

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

41 |

42 | Section 1. Subsection (9) of section 16.615, Florida
 43 | Statutes, is amended to read:

44 | 16.615 Council on the Social Status of Black Men and
 45 | Boys.—

46 | (9) ~~(a)~~ The council shall issue its ~~first~~ annual report by
 47 | ~~December 15, 2007,~~ and by December 15 each following year,
 48 | stating the findings, conclusions, and recommendations of the
 49 | council. The council shall submit the report to the Governor,
 50 | the President of the Senate, the Speaker of the House of

51 Representatives, and the chairpersons of the standing committees
52 of jurisdiction in each chamber.

53 ~~(b) The initial report must include the findings of an~~
54 ~~investigation into factors causing black-on-black crime from the~~
55 ~~perspective of public health related to mental health, other~~
56 ~~health issues, cultural disconnection, and cultural identity~~
57 ~~trauma.~~

58 Reviser's note.—Amended to delete obsolete language.

59 Section 2. Subsection (7) of section 17.076, Florida
60 Statutes, is amended to read:

61 17.076 Direct deposit of funds.—

62 (7) ~~Effective July 1, 2000,~~ All new recipients of
63 retirement benefits from this state shall be paid by direct
64 deposit of funds. A retiree may request from the department an
65 exemption from the provisions of this subsection when such
66 retiree can demonstrate a hardship. The department may pay
67 retirement benefits by state warrant when deemed
68 administratively necessary.

69 Reviser's note.—Amended to delete obsolete language.

70 Section 3. Paragraph (g) of subsection (3) and subsection
71 (10) of section 20.43, Florida Statutes, are amended to read:

72 20.43 Department of Health.—There is created a Department
73 of Health.

74 (3) The following divisions of the Department of Health
75 are established:

76 (g) Division of Medical Quality Assurance, which is
 77 responsible for the following boards and professions established
 78 within the division:

- 79 1. The Board of Acupuncture, created under chapter 457.
- 80 2. The Board of Medicine, created under chapter 458.
- 81 3. The Board of Osteopathic Medicine, created under
 82 chapter 459.
- 83 4. The Board of Chiropractic Medicine, created under
 84 chapter 460.
- 85 5. The Board of Podiatric Medicine, created under chapter
 86 461.
- 87 6. Naturopathy, as provided under chapter 462.
- 88 7. The Board of Optometry, created under chapter 463.
- 89 8. The Board of Nursing, created under part I of chapter
 90 464.
- 91 9. Nursing assistants, as provided under part II of
 92 chapter 464.
- 93 10. The Board of Pharmacy, created under chapter 465.
- 94 11. The Board of Dentistry, created under chapter 466.
- 95 12. Midwifery, as provided under chapter 467.
- 96 13. The Board of Speech-Language Pathology and Audiology,
 97 created under part I of chapter 468.
- 98 14. The Board of Nursing Home Administrators, created
 99 under part II of chapter 468.
- 100 15. The Board of Occupational Therapy, created under part

- 101 III of chapter 468.
- 102 16. Respiratory therapy, as provided under part V of
- 103 chapter 468.
- 104 17. Dietetics and nutrition practice, as provided under
- 105 part X of chapter 468.
- 106 18. The Board of Athletic Training, created under part
- 107 XIII of chapter 468.
- 108 19. The Board of Orthotists and Prosthetists, created
- 109 under part XIV of chapter 468.
- 110 20. Electrolysis, as provided under chapter 478.
- 111 21. The Board of Massage Therapy, created under chapter
- 112 480.
- 113 22. The Board of Clinical Laboratory Personnel, created
- 114 under part II of chapter 483.
- 115 23. Medical physicists, as provided under part III ~~IV~~ of
- 116 chapter 483.
- 117 24. The Board of Opticianry, created under part I of
- 118 chapter 484.
- 119 25. The Board of Hearing Aid Specialists, created under
- 120 part II of chapter 484.
- 121 26. The Board of Physical Therapy Practice, created under
- 122 chapter 486.
- 123 27. The Board of Psychology, created under chapter 490.
- 124 28. School psychologists, as provided under chapter 490.
- 125 29. The Board of Clinical Social Work, Marriage and Family

126 Therapy, and Mental Health Counseling, created under chapter
 127 491.

128 30. Emergency medical technicians and paramedics, as
 129 provided under part III of chapter 401.

130 (10) (a) ~~Beginning in fiscal year 2010-2011,~~ The department
 131 shall initiate or commence new programs only when the
 132 Legislative Budget Commission or the Legislature expressly
 133 authorizes the department to do so.

134 (b) ~~Beginning in fiscal year 2010-2011,~~ Before applying
 135 for any continuation of or new federal or private grants that
 136 are for an amount of \$50,000 or greater, the department shall
 137 provide written notification to the Governor, the President of
 138 the Senate, and the Speaker of the House of Representatives. The
 139 notification must include detailed information about the purpose
 140 of the grant, the intended use of the funds, and the number of
 141 full-time permanent or temporary employees needed to administer
 142 the program funded by the grant.

143 Reviser's note.—Paragraph (3) (g) is amended to conform to the
 144 redesignation of part IV of chapter 483 as part III
 145 pursuant to the repeal of former part I of that chapter by
 146 s. 97, ch. 2018-24, Laws of Florida. Subsection (10) is
 147 amended to delete obsolete language.

148 Section 4. Section 25.077, Florida Statutes, is amended to
 149 read:

150 25.077 Negligence case settlements and jury verdicts; case

151 reporting.—Through the state's uniform case reporting system,
 152 the clerk of court shall report to the Office of the State
 153 Courts Administrator, ~~beginning in 2003,~~ information from each
 154 settlement or jury verdict and final judgment in negligence
 155 cases as defined in s. 768.81(1)(c), as the President of the
 156 Senate and the Speaker of the House of Representatives deem
 157 necessary from time to time. The information shall include, but
 158 need not be limited to: the name of each plaintiff and
 159 defendant; the verdict; the percentage of fault of each; the
 160 amount of economic damages and noneconomic damages awarded to
 161 each plaintiff, identifying those damages that are to be paid
 162 jointly and severally and by which defendants; and the amount of
 163 any punitive damages to be paid by each defendant.

164 Reviser's note.—Amended to delete obsolete language.

165 Section 5. Subsection (4) of section 27.34, Florida
 166 Statutes, is amended to read:

167 27.34 Limitations on payment of salaries and other related
 168 costs of state attorneys' offices other than by the state.—

169 (4) Unless expressly authorized by law or in the General
 170 Appropriations Act, state attorneys are prohibited from spending
 171 state-appropriated funds on county funding obligations under s.
 172 14, Art. V of the State Constitution ~~beginning January 1, 2005.~~
 173 This includes expenditures on communications services and
 174 facilities as defined in s. 29.008. This does not prohibit a
 175 state attorney from spending funds for these purposes in

176 | exceptional circumstances when necessary to maintain operational
 177 | continuity in the form of a short-term advance pending
 178 | reimbursement by the county. If a state attorney provides short-
 179 | term advance funding for a county responsibility as authorized
 180 | by this subsection, the state attorney shall request full
 181 | reimbursement from the board of county commissioners prior to
 182 | making the expenditure or at the next meeting of the board of
 183 | county commissioners after the expenditure is made. The total of
 184 | all short-term advances authorized by this subsection shall not
 185 | exceed 2 percent of the state attorney's approved operating
 186 | budget in any given year. No short-term advances authorized by
 187 | this subsection shall be permitted until all reimbursements
 188 | arising from advance funding in the prior state fiscal year have
 189 | been received by the state attorney. All reimbursement payments
 190 | received by the state attorney pursuant to this subsection shall
 191 | be deposited into the General Revenue Fund. Notwithstanding the
 192 | provisions of this subsection, the state attorney may expend
 193 | funds for the purchase of computer systems, including associated
 194 | hardware and software, and for personnel related to this
 195 | function.

196 | Reviser's note.—Amended to delete obsolete language.

197 | Section 6. Subsection (4) of section 27.54, Florida
 198 | Statutes, is amended to read:

199 | 27.54 Limitation on payment of expenditures other than by
 200 | the state.—

201 (4) Unless expressly authorized by law or in the General
202 Appropriations Act, public defenders and regional counsel are
203 prohibited from spending state-appropriated funds on county
204 funding obligations under s. 14, Art. V of the State
205 Constitution ~~beginning January 1, 2005~~. This includes
206 expenditures on communications services and facilities as
207 defined in s. 29.008. This does not prohibit a public defender
208 from spending funds for these purposes in exceptional
209 circumstances when necessary to maintain operational continuity
210 in the form of a short-term advance pending reimbursement from
211 the county. If a public defender or regional counsel provides
212 short-term advance funding for a county responsibility as
213 authorized by this subsection, the public defender or regional
214 counsel shall request full reimbursement from the board of
215 county commissioners prior to making the expenditure or at the
216 next meeting of the board of county commissioners after the
217 expenditure is made. The total of all short-term advances
218 authorized by this subsection shall not exceed 2 percent of the
219 public defender's or regional counsel's approved operating
220 budget in any given year. No short-term advances authorized by
221 this subsection shall be permitted until all reimbursements
222 arising from advance funding in the prior state fiscal year have
223 been received by the public defender or regional counsel. All
224 reimbursement payments received by the public defender or
225 regional counsel shall be deposited into the General Revenue

226 Fund. Notwithstanding the provisions of this subsection, the
 227 public defender or regional counsel may expend funds for the
 228 purchase of computer systems, including associated hardware and
 229 software, and for personnel related to this function.

230 Reviser's note.—Amended to delete obsolete language.

231 Section 7. Subsection (4) of section 29.005, Florida
 232 Statutes, is amended to read:

233 29.005 State attorneys' offices and prosecution expenses.—
 234 For purposes of implementing s. 14, Art. V of the State
 235 Constitution, the elements of the state attorneys' offices to be
 236 provided from state revenues appropriated by general law are as
 237 follows:

238 (4) Reasonable transportation services in the performance
 239 of constitutional and statutory responsibilities. ~~Motor vehicles~~
 240 ~~owned by the counties and provided exclusively to state~~
 241 ~~attorneys as of July 1, 2003, and any additional vehicles owned~~
 242 ~~by the counties and provided exclusively to state attorneys~~
 243 ~~during fiscal year 2003-2004 shall be transferred by title to~~
 244 ~~the state effective July 1, 2004.~~

245 Reviser's note.—Amended to delete obsolete language.

246 Section 8. Subsection (5) of section 29.006, Florida
 247 Statutes, is amended to read:

248 29.006 Indigent defense costs.—For purposes of
 249 implementing s. 14, Art. V of the State Constitution, the
 250 elements of the public defenders' offices and criminal conflict

251 and civil regional counsel offices to be provided from state
 252 revenues appropriated by general law are as follows:

253 (5) Reasonable transportation services in the performance
 254 of constitutional and statutory responsibilities. ~~Motor vehicles~~
 255 ~~owned by counties and provided exclusively to public defenders~~
 256 ~~as of July 1, 2003, and any additional vehicles owned by the~~
 257 ~~counties and provided exclusively to public defenders during~~
 258 ~~fiscal year 2003-2004 shall be transferred by title to the state~~
 259 ~~effective July 1, 2004.~~

260 Reviser's note.—Amended to delete obsolete language.

261 Section 9. Subsection (3) of section 30.15, Florida
 262 Statutes, is amended to read:

263 30.15 Powers, duties, and obligations.—

264 (3) ~~On or before January 1, 2002,~~ Every sheriff shall
 265 incorporate an antiracial or other antidiscriminatory profiling
 266 policy into the sheriff's policies and practices, utilizing the
 267 Florida Police Chiefs Association Model Policy as a guide.
 268 Antiprofiling policies shall include the elements of
 269 definitions, traffic stop procedures, community education and
 270 awareness efforts, and policies for the handling of complaints
 271 from the public.

272 Reviser's note.—Amended to delete obsolete language.

273 Section 10. Paragraph (a) of subsection (10) of section
 274 39.001, Florida Statutes, is amended to read:

275 39.001 Purposes and intent; personnel standards and

276 screening.—

277 (10) PLAN FOR COMPREHENSIVE APPROACH.—

278 (a) The office shall develop a state plan for the
 279 promotion of adoption, support of adoptive families, and
 280 prevention of abuse, abandonment, and neglect of children ~~and~~
 281 ~~shall submit the state plan to the Speaker of the House of~~
 282 ~~Representatives, the President of the Senate, and the Governor~~
 283 ~~no later than December 31, 2008.~~ The Department of Children and
 284 Families, the Department of Corrections, the Department of
 285 Education, the Department of Health, the Department of Juvenile
 286 Justice, the Department of Law Enforcement, and the Agency for
 287 Persons with Disabilities shall participate and fully cooperate
 288 in the development of the state plan at both the state and local
 289 levels. Furthermore, appropriate local agencies and
 290 organizations shall be provided an opportunity to participate in
 291 the development of the state plan at the local level.
 292 Appropriate local groups and organizations shall include, but
 293 not be limited to, community mental health centers; guardian ad
 294 litem programs for children under the circuit court; the school
 295 boards of the local school districts; the Florida local advocacy
 296 councils; community-based care lead agencies; private or public
 297 organizations or programs with recognized expertise in working
 298 with child abuse prevention programs for children and families;
 299 private or public organizations or programs with recognized
 300 expertise in working with children who are sexually abused,

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301 physically abused, emotionally abused, abandoned, or neglected
302 and with expertise in working with the families of such
303 children; private or public programs or organizations with
304 expertise in maternal and infant health care; multidisciplinary
305 Child Protection Teams ~~child protection teams~~; child day care
306 centers; law enforcement agencies; and the circuit courts, when
307 guardian ad litem programs are not available in the local area.
308 The state plan to be provided to the Legislature and the
309 Governor shall include, as a minimum, the information required
310 of the various groups in paragraph (b).

311 Reviser's note.—Amended to delete obsolete language and to
312 conform to s. 32, ch. 2018-103, Laws of Florida, which
313 directed the Division of Law Revision and Information to
314 prepare a reviser's bill "to capitalize each word of the
315 term 'child protection team' wherever it occurs in the
316 Florida Statutes."

317 Section 11. Subsection (13) of section 39.01, Florida
318 Statutes, is amended to read:

319 39.01 Definitions.—When used in this chapter, unless the
320 context otherwise requires:

321 (13) "Child Protection Team" ~~"Child protection team"~~ means
322 a team of professionals established by the Department of Health
323 to receive referrals from the protective investigators and
324 protective supervision staff of the department and to provide
325 specialized and supportive services to the program in processing

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326 child abuse, abandonment, or neglect cases. A Child Protection
327 Team ~~child protection team~~ shall provide consultation to other
328 programs of the department and other persons regarding child
329 abuse, abandonment, or neglect cases.

330 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
331 of Florida, which directed the Division of Law Revision and
332 Information to prepare a reviser's bill "to capitalize each
333 word of the term 'child protection team' wherever it occurs
334 in the Florida Statutes."

335 Section 12. Subsection (5) of section 39.0121, Florida
336 Statutes, is amended to read:

337 39.0121 Specific rulemaking authority.—Pursuant to the
338 requirements of s. 120.536, the department is specifically
339 authorized to adopt, amend, and repeal administrative rules
340 which implement or interpret law or policy, or describe the
341 procedure and practice requirements necessary to implement this
342 chapter, including, but not limited to, the following:

343 (5) Requesting of services from Child Protection Teams
344 ~~child protection teams~~.

345 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
346 of Florida, which directed the Division of Law Revision and
347 Information to prepare a reviser's bill "to capitalize each
348 word of the term 'child protection team' wherever it occurs
349 in the Florida Statutes."

350 Section 13. Paragraph (b) of subsection (4) of section

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351 39.0139, Florida Statutes, is amended to read:

352 39.0139 Visitation or other contact; restrictions.—

353 (4) HEARINGS.—A person who meets any of the criteria set
354 forth in paragraph (3) (a) who seeks to begin or resume contact
355 with the child victim shall have the right to an evidentiary
356 hearing to determine whether contact is appropriate.

357 (b) At the hearing, the court may receive and rely upon
358 any relevant and material evidence submitted to the extent of
359 its probative value, including written and oral reports or
360 recommendations from the Child Protection Team ~~child protection~~
361 ~~team~~, the child's therapist, the child's guardian ad litem, or
362 the child's attorney ad litem, even if these reports,
363 recommendations, and evidence may not be admissible under the
364 rules of evidence.

365 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
366 of Florida, which directed the Division of Law Revision and
367 Information to prepare a reviser's bill "to capitalize each
368 word of the term 'child protection team' wherever it occurs
369 in the Florida Statutes."

370 Section 14. Subsection (3) of section 39.2015, Florida
371 Statutes, is amended to read:

372 39.2015 Critical incident rapid response team.—

373 (3) Each investigation shall be conducted by a multiagency
374 team of at least five professionals with expertise in child
375 protection, child welfare, and organizational management. The

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376 team may consist of employees of the department, community-based
377 care lead agencies, Children's Medical Services, and community-
378 based care provider organizations; faculty from the institute
379 consisting of public and private universities offering degrees
380 in social work established pursuant to s. 1004.615; or any other
381 person with the required expertise. The team shall include, at a
382 minimum, a Child Protection Team ~~child protection team~~ medical
383 director. The majority of the team must reside in judicial
384 circuits outside the location of the incident. The secretary
385 shall appoint a team leader for each group assigned to an
386 investigation.

387 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
388 of Florida, which directed the Division of Law Revision and
389 Information to prepare a reviser's bill "to capitalize each
390 word of the term 'child protection team' wherever it occurs
391 in the Florida Statutes."

392 Section 15. Paragraph (t) of subsection (2) and
393 subsections (5) and (6) of section 39.202, Florida Statutes, are
394 amended to read:

395 39.202 Confidentiality of reports and records in cases of
396 child abuse or neglect.—

397 (2) Except as provided in subsection (4), access to such
398 records, excluding the name of the reporter which shall be
399 released only as provided in subsection (5), shall be granted
400 only to the following persons, officials, and agencies:

401 (t) Persons with whom the department is seeking to place
402 the child or to whom placement has been granted, including
403 foster parents for whom an approved home study has been
404 conducted, the designee of a licensed residential group home
405 ~~described in s. 39.523~~, an approved relative or nonrelative with
406 whom a child is placed pursuant to s. 39.402, preadoptive
407 parents for whom a favorable preliminary adoptive home study has
408 been conducted, adoptive parents, or an adoption entity acting
409 on behalf of preadoptive or adoptive parents.

410 (5) The name of any person reporting child abuse,
411 abandonment, or neglect may not be released to any person other
412 than employees of the department responsible for child
413 protective services, the central abuse hotline, law enforcement,
414 the Child Protection Team ~~child protection team~~, or the
415 appropriate state attorney, without the written consent of the
416 person reporting. This does not prohibit the subpoenaing of a
417 person reporting child abuse, abandonment, or neglect when
418 deemed necessary by the court, the state attorney, or the
419 department, provided the fact that such person made the report
420 is not disclosed. Any person who reports a case of child abuse
421 or neglect may, at the time he or she makes the report, request
422 that the department notify him or her that a child protective
423 investigation occurred as a result of the report. Any person
424 specifically listed in s. 39.201(1) who makes a report in his or
425 her official capacity may also request a written summary of the

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426 outcome of the investigation. The department shall mail such a
427 notice to the reporter within 10 days after completing the child
428 protective investigation.

429 (6) All records and reports of the Child Protection Team
430 ~~child protection team~~ of the Department of Health are
431 confidential and exempt from the provisions of ss. 119.07(1) and
432 456.057, and shall not be disclosed, except, upon request, to
433 the state attorney, law enforcement, the department, and
434 necessary professionals, in furtherance of the treatment or
435 additional evaluative needs of the child, by order of the court,
436 or to health plan payors, limited to that information used for
437 insurance reimbursement purposes.

438 Reviser's note.—Paragraph (2)(t) is amended to delete a
439 reference to s. 39.523 to conform to the fact that that
440 section now focuses on placement in out-of-home care; prior
441 to substantial rewording of s. 39.523 by s. 14, ch. 2017-
442 151, Laws of Florida, the text related to placement in
443 residential group care. Subsections (5) and (6) are amended
444 to conform to s. 32, ch. 2018-103, Laws of Florida, which
445 directed the Division of Law Revision and Information to
446 prepare a reviser's bill "to capitalize each word of the
447 term 'child protection team' wherever it occurs in the
448 Florida Statutes."

449 Section 16. Paragraph (a) of subsection (9) and paragraph
450 (c) of subsection (14) of section 39.301, Florida Statutes, are

451 amended to read:

452 39.301 Initiation of protective investigations.—

453 (9) (a) For each report received from the central abuse
454 hotline and accepted for investigation, the department or the
455 sheriff providing child protective investigative services under
456 s. 39.3065, shall perform the following child protective
457 investigation activities to determine child safety:

458 1. Conduct a review of all relevant, available information
459 specific to the child and family and alleged maltreatment;
460 family child welfare history; local, state, and federal criminal
461 records checks; and requests for law enforcement assistance
462 provided by the abuse hotline. Based on a review of available
463 information, including the allegations in the current report, a
464 determination shall be made as to whether immediate consultation
465 should occur with law enforcement, the Child Protection Team
466 ~~child protection team~~, a domestic violence shelter or advocate,
467 or a substance abuse or mental health professional. Such
468 consultations should include discussion as to whether a joint
469 response is necessary and feasible. A determination shall be
470 made as to whether the person making the report should be
471 contacted before the face-to-face interviews with the child and
472 family members.

473 2. Conduct face-to-face interviews with the child; other
474 siblings, if any; and the parents, legal custodians, or
475 caregivers.

476 3. Assess the child's residence, including a determination
477 of the composition of the family and household, including the
478 name, address, date of birth, social security number, sex, and
479 race of each child named in the report; any siblings or other
480 children in the same household or in the care of the same
481 adults; the parents, legal custodians, or caregivers; and any
482 other adults in the same household.

483 4. Determine whether there is any indication that any
484 child in the family or household has been abused, abandoned, or
485 neglected; the nature and extent of present or prior injuries,
486 abuse, or neglect, and any evidence thereof; and a determination
487 as to the person or persons apparently responsible for the
488 abuse, abandonment, or neglect, including the name, address,
489 date of birth, social security number, sex, and race of each
490 such person.

491 5. Complete assessment of immediate child safety for each
492 child based on available records, interviews, and observations
493 with all persons named in subparagraph 2. and appropriate
494 collateral contacts, which may include other professionals. The
495 department's child protection investigators are hereby
496 designated a criminal justice agency for the purpose of
497 accessing criminal justice information to be used for enforcing
498 this state's laws concerning the crimes of child abuse,
499 abandonment, and neglect. This information shall be used solely
500 for purposes supporting the detection, apprehension,

501 prosecution, pretrial release, posttrial release, or
502 rehabilitation of criminal offenders or persons accused of the
503 crimes of child abuse, abandonment, or neglect and may not be
504 further disseminated or used for any other purpose.

505 6. Document the present and impending dangers to each
506 child based on the identification of inadequate protective
507 capacity through utilization of a standardized safety assessment
508 instrument. If present or impending danger is identified, the
509 child protective investigator must implement a safety plan or
510 take the child into custody. If present danger is identified and
511 the child is not removed, the child protective investigator
512 shall create and implement a safety plan before leaving the home
513 or the location where there is present danger. If impending
514 danger is identified, the child protective investigator shall
515 create and implement a safety plan as soon as necessary to
516 protect the safety of the child. The child protective
517 investigator may modify the safety plan if he or she identifies
518 additional impending danger.

519 a. If the child protective investigator implements a
520 safety plan, the plan must be specific, sufficient, feasible,
521 and sustainable in response to the realities of the present or
522 impending danger. A safety plan may be an in-home plan or an
523 out-of-home plan, or a combination of both. A safety plan may
524 include tasks or responsibilities for a parent, caregiver, or
525 legal custodian. However, a safety plan may not rely on

526 promissory commitments by the parent, caregiver, or legal
527 custodian who is currently not able to protect the child or on
528 services that are not available or will not result in the safety
529 of the child. A safety plan may not be implemented if for any
530 reason the parents, guardian, or legal custodian lacks the
531 capacity or ability to comply with the plan. If the department
532 is not able to develop a plan that is specific, sufficient,
533 feasible, and sustainable, the department shall file a shelter
534 petition. A child protective investigator shall implement
535 separate safety plans for the perpetrator of domestic violence,
536 if the investigator, using reasonable efforts, can locate the
537 perpetrator to implement a safety plan, and for the parent who
538 is a victim of domestic violence as defined in s. 741.28.
539 Reasonable efforts to locate a perpetrator include, but are not
540 limited to, a diligent search pursuant to the same requirements
541 as in s. 39.503. If the perpetrator of domestic violence is not
542 the parent, guardian, or legal custodian of any child in the
543 home and if the department does not intend to file a shelter
544 petition or dependency petition that will assert allegations
545 against the perpetrator as a parent of a child in the home, the
546 child protective investigator shall seek issuance of an
547 injunction authorized by s. 39.504 to implement a safety plan
548 for the perpetrator and impose any other conditions to protect
549 the child. The safety plan for the parent who is a victim of
550 domestic violence may not be shared with the perpetrator. If any

551 party to a safety plan fails to comply with the safety plan
552 resulting in the child being unsafe, the department shall file a
553 shelter petition.

554 b. The child protective investigator shall collaborate
555 with the community-based care lead agency in the development of
556 the safety plan as necessary to ensure that the safety plan is
557 specific, sufficient, feasible, and sustainable. The child
558 protective investigator shall identify services necessary for
559 the successful implementation of the safety plan. The child
560 protective investigator and the community-based care lead agency
561 shall mobilize service resources to assist all parties in
562 complying with the safety plan. The community-based care lead
563 agency shall prioritize safety plan services to families who
564 have multiple risk factors, including, but not limited to, two
565 or more of the following:

566 (I) The parent or legal custodian is of young age;

567 (II) The parent or legal custodian, or an adult currently
568 living in or frequently visiting the home, has a history of
569 substance abuse, mental illness, or domestic violence;

570 (III) The parent or legal custodian, or an adult currently
571 living in or frequently visiting the home, has been previously
572 found to have physically or sexually abused a child;

573 (IV) The parent or legal custodian or an adult currently
574 living in or frequently visiting the home has been the subject
575 of multiple allegations by reputable reports of abuse or

576 neglect;
 577 (V) The child is physically or developmentally disabled;
 578 or
 579 (VI) The child is 3 years of age or younger.

580 c. The child protective investigator shall monitor the
 581 implementation of the plan to ensure the child's safety until
 582 the case is transferred to the lead agency at which time the
 583 lead agency shall monitor the implementation.

584 (14)

585 (c) The department, in consultation with the judiciary,
 586 shall adopt by rule:

587 1. Criteria that are factors requiring that the department
 588 take the child into custody, petition the court as provided in
 589 this chapter, or, if the child is not taken into custody or a
 590 petition is not filed with the court, conduct an administrative
 591 review. Such factors must include, but are not limited to,
 592 noncompliance with a safety plan or the case plan developed by
 593 the department, and the family under this chapter, and prior
 594 abuse reports with findings that involve the child, the child's
 595 sibling, or the child's caregiver.

596 2. Requirements that if after an administrative review the
 597 department determines not to take the child into custody or
 598 petition the court, the department shall document the reason for
 599 its decision in writing and include it in the investigative
 600 file. For all cases that were accepted by the local law

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601 enforcement agency for criminal investigation pursuant to
602 subsection (2), the department must include in the file written
603 documentation that the administrative review included input from
604 law enforcement. In addition, for all cases that must be
605 referred to Child Protection Teams ~~child protection teams~~
606 pursuant to s. 39.303(4) and (5), the file must include written
607 documentation that the administrative review included the
608 results of the team's evaluation.

609 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
610 of Florida, which directed the Division of Law Revision and
611 Information to prepare a reviser's bill "to capitalize each
612 word of the term 'child protection team' wherever it occurs
613 in the Florida Statutes."

614 Section 17. Subsection (1), paragraphs (b), (c), and (d)
615 of subsection (2), subsections (3), (4), (5), (6), (7), and (8),
616 and paragraph (c) of subsection (10) of section 39.303, Florida
617 Statutes, are amended to read:

618 39.303 Child Protection Teams ~~protection teams~~ and sexual
619 abuse treatment programs; services; eligible cases.—

620 (1) The Children's Medical Services Program in the
621 Department of Health shall develop, maintain, and coordinate the
622 services of one or more multidisciplinary Child Protection Teams
623 ~~child protection teams~~ in each of the service circuits of the
624 Department of Children and Families. Such teams may be composed
625 of appropriate representatives of school districts and

626 appropriate health, mental health, social service, legal
627 service, and law enforcement agencies. The Department of Health
628 and the Department of Children and Families shall maintain an
629 interagency agreement that establishes protocols for oversight
630 and operations of Child Protection Teams ~~child protection teams~~
631 and sexual abuse treatment programs. The State Surgeon General
632 and the Deputy Secretary for Children's Medical Services, in
633 consultation with the Secretary of Children and Families and the
634 Statewide Medical Director for Child Protection, shall maintain
635 the responsibility for the screening, employment, and, if
636 necessary, the termination of Child Protection Team ~~child~~
637 ~~protection team~~ medical directors in the 15 circuits.

638 (2)

639 (b) Each Child Protection Team ~~child protection team~~
640 medical director must be a physician licensed under chapter 458
641 or chapter 459 who is a board-certified physician in pediatrics
642 or family medicine and, within 2 years after the date of
643 employment as a Child Protection Team ~~child protection team~~
644 medical director, obtains a subspecialty certification in child
645 abuse from the American Board of Pediatrics or within 2 years
646 meet the minimum requirements established by a third-party
647 credentialing entity recognizing a demonstrated specialized
648 competence in child abuse pediatrics pursuant to paragraph (d).
649 Each Child Protection Team ~~child protection team~~ medical
650 director employed on July 1, 2015, must, by July 1, 2019, either

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651 obtain a subspecialty certification in child abuse from the
652 American Board of Pediatrics or meet the minimum requirements
653 established by a third-party credentialing entity recognizing a
654 demonstrated specialized competence in child abuse pediatrics
655 pursuant to paragraph (d). Child Protection Team ~~protection team~~
656 medical directors shall be responsible for oversight of the
657 teams in the circuits.

658 (c) All medical personnel participating on a Child
659 Protection Team ~~child protection team~~ must successfully complete
660 the required Child Protection Team ~~child protection team~~
661 training curriculum as set forth in protocols determined by the
662 Deputy Secretary for Children's Medical Services and the
663 Statewide Medical Director for Child Protection.

664 (d) Contingent on appropriations, the Department of Health
665 shall approve one or more third-party credentialing entities for
666 the purpose of developing and administering a professional
667 credentialing program for Child Protection Team ~~child protection~~
668 ~~team~~ medical directors. Within 90 days after receiving
669 documentation from a third-party credentialing entity, the
670 department shall approve a third-party credentialing entity that
671 demonstrates compliance with the following minimum standards:

672 1. Establishment of child abuse pediatrics core
673 competencies, certification standards, testing instruments, and
674 recertification standards according to national psychometric
675 standards.

676 2. Establishment of a process to administer the
 677 certification application, award, and maintenance processes
 678 according to national psychometric standards.

679 3. Demonstrated ability to administer a professional code
 680 of ethics and disciplinary process that applies to all certified
 681 persons.

682 4. Establishment of, and ability to maintain, a publicly
 683 accessible Internet-based database that contains information on
 684 each person who applies for and is awarded certification, such
 685 as the person's first and last name, certification status, and
 686 ethical or disciplinary history.

687 5. Demonstrated ability to administer biennial continuing
 688 education and certification renewal requirements.

689 6. Demonstrated ability to administer an education
 690 provider program to approve qualified training entities and to
 691 provide precertification training to applicants and continuing
 692 education opportunities to certified professionals.

693 (3) The Department of Health shall use and convene the
 694 Child Protection Teams ~~child protection teams~~ to supplement the
 695 assessment and protective supervision activities of the family
 696 safety and preservation program of the Department of Children
 697 and Families. This section does not remove or reduce the duty
 698 and responsibility of any person to report pursuant to this
 699 chapter all suspected or actual cases of child abuse,
 700 abandonment, or neglect or sexual abuse of a child. The role of

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701 the Child Protection Teams ~~child protection teams~~ is to support
702 activities of the program and to provide services deemed by the
703 Child Protection Teams ~~child protection teams~~ to be necessary
704 and appropriate to abused, abandoned, and neglected children
705 upon referral. The specialized diagnostic assessment,
706 evaluation, coordination, consultation, and other supportive
707 services that a Child Protection Team ~~child protection team~~ must
708 be capable of providing include, but are not limited to, the
709 following:

710 (a) Medical diagnosis and evaluation services, including
711 provision or interpretation of X rays and laboratory tests, and
712 related services, as needed, and documentation of related
713 findings.

714 (b) Telephone consultation services in emergencies and in
715 other situations.

716 (c) Medical evaluation related to abuse, abandonment, or
717 neglect, as defined by policy or rule of the Department of
718 Health.

719 (d) Such psychological and psychiatric diagnosis and
720 evaluation services for the child or the child's parent or
721 parents, legal custodian or custodians, or other caregivers, or
722 any other individual involved in a child abuse, abandonment, or
723 neglect case, as the team may determine to be needed.

724 (e) Expert medical, psychological, and related
725 professional testimony in court cases.

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726 (f) Case staffings to develop treatment plans for children
727 whose cases have been referred to the team. A Child Protection
728 Team ~~child protection team~~ may provide consultation with respect
729 to a child who is alleged or is shown to be abused, abandoned,
730 or neglected, which consultation shall be provided at the
731 request of a representative of the family safety and
732 preservation program or at the request of any other professional
733 involved with a child or the child's parent or parents, legal
734 custodian or custodians, or other caregivers. In every such
735 Child Protection Team ~~child protection team~~ case staffing,
736 consultation, or staff activity involving a child, a family
737 safety and preservation program representative shall attend and
738 participate.

739 (g) Case service coordination and assistance, including
740 the location of services available from other public and private
741 agencies in the community.

742 (h) Such training services for program and other employees
743 of the Department of Children and Families, employees of the
744 Department of Health, and other medical professionals as is
745 deemed appropriate to enable them to develop and maintain their
746 professional skills and abilities in handling child abuse,
747 abandonment, and neglect cases.

748 (i) Educational and community awareness campaigns on child
749 abuse, abandonment, and neglect in an effort to enable citizens
750 more successfully to prevent, identify, and treat child abuse,

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751 abandonment, and neglect in the community.

752 (j) Child Protection Team ~~protection team~~ assessments that
753 include, as appropriate, medical evaluations, medical
754 consultations, family psychosocial interviews, specialized
755 clinical interviews, or forensic interviews.

756
757 A Child Protection Team ~~child protection team~~ that is evaluating
758 a report of medical neglect and assessing the health care needs
759 of a medically complex child shall consult with a physician who
760 has experience in treating children with the same condition.

761 (4) The child abuse, abandonment, and neglect reports that
762 must be referred by the department to Child Protection Teams
763 ~~child protection teams~~ of the Department of Health for an
764 assessment and other appropriate available support services as
765 set forth in subsection (3) must include cases involving:

766 (a) Injuries to the head, bruises to the neck or head,
767 burns, or fractures in a child of any age.

768 (b) Bruises anywhere on a child 5 years of age or under.

769 (c) Any report alleging sexual abuse of a child.

770 (d) Any sexually transmitted disease in a prepubescent
771 child.

772 (e) Reported malnutrition of a child and failure of a
773 child to thrive.

774 (f) Reported medical neglect of a child.

775 (g) Any family in which one or more children have been

776 pronounced dead on arrival at a hospital or other health care
777 facility, or have been injured and later died, as a result of
778 suspected abuse, abandonment, or neglect, when any sibling or
779 other child remains in the home.

780 (h) Symptoms of serious emotional problems in a child when
781 emotional or other abuse, abandonment, or neglect is suspected.

782 (5) All abuse and neglect cases transmitted for
783 investigation to a circuit by the hotline must be simultaneously
784 transmitted to the Child Protection Team ~~child protection team~~
785 for review. For the purpose of determining whether a face-to-
786 face medical evaluation by a Child Protection Team ~~child~~
787 ~~protection team~~ is necessary, all cases transmitted to the Child
788 Protection Team ~~child protection team~~ which meet the criteria in
789 subsection (4) must be timely reviewed by:

790 (a) A physician licensed under chapter 458 or chapter 459
791 who holds board certification in pediatrics and is a member of a
792 Child Protection Team ~~child protection team~~;

793 (b) A physician licensed under chapter 458 or chapter 459
794 who holds board certification in a specialty other than
795 pediatrics, who may complete the review only when working under
796 the direction of the Child Protection Team ~~child protection team~~
797 medical director or a physician licensed under chapter 458 or
798 chapter 459 who holds board certification in pediatrics and is a
799 member of a Child Protection Team ~~child protection team~~;

800 (c) An advanced practice registered nurse licensed under

801 chapter 464 who has a specialty in pediatrics or family medicine
802 and is a member of a Child Protection Team ~~child protection~~
803 ~~team~~;

804 (d) A physician assistant licensed under chapter 458 or
805 chapter 459, who may complete the review only when working under
806 the supervision of the Child Protection Team ~~child protection~~
807 ~~team~~ medical director or a physician licensed under chapter 458
808 or chapter 459 who holds board certification in pediatrics and
809 is a member of a Child Protection Team ~~child protection team~~; or

810 (e) A registered nurse licensed under chapter 464, who may
811 complete the review only when working under the direct
812 supervision of the Child Protection Team ~~child protection team~~
813 medical director or a physician licensed under chapter 458 or
814 chapter 459 who holds board certification in pediatrics and is a
815 member of a Child Protection Team ~~child protection team~~.

816 (6) A face-to-face medical evaluation by a Child
817 Protection Team ~~child protection team~~ is not necessary when:

818 (a) The child was examined for the alleged abuse or
819 neglect by a physician who is not a member of the Child
820 Protection Team ~~child protection team~~, and a consultation
821 between the Child Protection Team ~~child protection team~~ medical
822 director or a Child Protection Team ~~child protection team~~ board-
823 certified pediatrician, advanced practice registered nurse,
824 physician assistant working under the supervision of a Child
825 Protection Team ~~child protection team~~ medical director or a

826 Child Protection Team ~~child protection team~~ board-certified
827 pediatrician, or registered nurse working under the direct
828 supervision of a Child Protection Team ~~child protection team~~
829 medical director or a Child Protection Team ~~child protection~~
830 ~~team~~ board-certified pediatrician, and the examining physician
831 concludes that a further medical evaluation is unnecessary;

832 (b) The child protective investigator, with supervisory
833 approval, has determined, after conducting a child safety
834 assessment, that there are no indications of injuries as
835 described in paragraphs (4) (a)-(h) as reported; or

836 (c) The Child Protection Team ~~child protection team~~
837 medical director or a Child Protection Team ~~child protection~~
838 ~~team~~ board-certified pediatrician, as authorized in subsection
839 (5), determines that a medical evaluation is not required.

840
841 Notwithstanding paragraphs (a), (b), and (c), a Child Protection
842 Team ~~child protection team~~ medical director or a Child
843 Protection Team ~~child protection team~~ pediatrician, as
844 authorized in subsection (5), may determine that a face-to-face
845 medical evaluation is necessary.

846 (7) In all instances in which a Child Protection Team
847 ~~child protection team~~ is providing certain services to abused,
848 abandoned, or neglected children, other offices and units of the
849 Department of Health, and offices and units of the Department of
850 Children and Families, shall avoid duplicating the provision of

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851 those services.

852 (8) The Department of Health Child Protection Team ~~child~~
853 ~~protection team~~ quality assurance program and the Family Safety
854 Program Office of the Department of Children and Families shall
855 collaborate to ensure referrals and responses to child abuse,
856 abandonment, and neglect reports are appropriate. Each quality
857 assurance program shall include a review of records in which
858 there are no findings of abuse, abandonment, or neglect, and the
859 findings of these reviews shall be included in each department's
860 quality assurance reports.

861 (10) The Children's Medical Services program in the
862 Department of Health shall develop, maintain, and coordinate the
863 services of one or more sexual abuse treatment programs.

864 (c) The sexual abuse treatment programs and Child
865 Protection Teams ~~child protection teams~~ must provide referrals
866 for victims of child sexual abuse and their families, as
867 appropriate.

868 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
869 of Florida, which directed the Division of Law Revision and
870 Information to prepare a reviser's bill "to capitalize each
871 word of the term 'child protection team' wherever it occurs
872 in the Florida Statutes."

873 Section 18. Section 39.3031, Florida Statutes, is amended
874 to read:

875 39.3031 Rules for implementation of s. 39.303.—The

876 Department of Health, in consultation with the Department of
 877 Children and Families, shall adopt rules governing the Child
 878 Protection Teams ~~child protection teams~~ and sexual abuse
 879 treatment programs pursuant to s. 39.303, including definitions,
 880 organization, roles and responsibilities, eligibility, services
 881 and their availability, qualifications of staff, and a waiver-
 882 request process.

883 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
 884 of Florida, which directed the Division of Law Revision and
 885 Information to prepare a reviser's bill "to capitalize each
 886 word of the term 'child protection team' wherever it occurs
 887 in the Florida Statutes."

888 Section 19. Paragraphs (b) and (e) of subsection (1) of
 889 section 39.3035, Florida Statutes, are amended to read:

890 39.3035 Child advocacy centers; standards; state funding.—

891 (1) In order to become eligible for a full membership in
 892 the Florida Network of Children's Advocacy Centers, Inc., a
 893 child advocacy center in this state shall:

894 (b) Be a Child Protection Team ~~child protection team~~, or
 895 by written agreement incorporate the participation and services
 896 of a Child Protection Team ~~child protection team~~, with
 897 established community protocols which meet all of the
 898 requirements of the National Network of Children's Advocacy
 899 Centers, Inc.

900 (e) Have a multidisciplinary case review team that meets

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901 on a regularly scheduled basis or as the caseload of the
902 community requires. The team shall consist of representatives
903 from the Office of the State Attorney, the department, the Child
904 Protection Team ~~child protection team~~, mental health services,
905 law enforcement, and the child advocacy center staff. Medical
906 personnel and a victim's advocate may be part of the team.

907 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
908 of Florida, which directed the Division of Law Revision and
909 Information to prepare a reviser's bill "to capitalize each
910 word of the term 'child protection team' wherever it occurs
911 in the Florida Statutes."

912 Section 20. Paragraph (a) of subsection (1) and subsection
913 (3) of section 39.304, Florida Statutes, are amended to read:

914 39.304 Photographs, medical examinations, X rays, and
915 medical treatment of abused, abandoned, or neglected child.—

916 (1) (a) Any person required to investigate cases of
917 suspected child abuse, abandonment, or neglect may take or cause
918 to be taken photographs of the areas of trauma visible on a
919 child who is the subject of a report. Any Child Protection Team
920 ~~child protection team~~ that examines a child who is the subject
921 of a report must take, or cause to be taken, photographs of any
922 areas of trauma visible on the child. Photographs of physical
923 abuse injuries, or duplicates thereof, shall be provided to the
924 department for inclusion in the investigative file and shall
925 become part of that file. Photographs of sexual abuse trauma

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926 shall be made part of the Child Protection Team ~~child protection~~
927 ~~team~~ medical record.

928 (3) Any facility licensed under chapter 395 shall provide
929 to the department, its agent, or a Child Protection Team ~~child~~
930 ~~protection team~~ that contracts with the department any
931 photograph or report on examinations made or X rays taken
932 pursuant to this section, or copies thereof, for the purpose of
933 investigation or assessment of cases of abuse, abandonment,
934 neglect, or exploitation of children.

935 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
936 of Florida, which directed the Division of Law Revision and
937 Information to prepare a reviser's bill "to capitalize each
938 word of the term 'child protection team' wherever it occurs
939 in the Florida Statutes."

940 Section 21. Subsections (2) and (3) of section 39.3068,
941 Florida Statutes, are amended to read:

942 39.3068 Reports of medical neglect.—

943 (2) The child protective investigator who has interacted
944 with the child and the child's family shall promptly contact and
945 provide information to the Child Protection Team ~~child~~
946 ~~protection team~~. The Child Protection Team ~~child protection team~~
947 shall assist the child protective investigator in identifying
948 immediate responses to address the medical needs of the child
949 with the priority of maintaining the child in the home if the
950 parents will be able to meet the needs of the child with

951 additional services. The child protective investigator and the
952 Child Protection Team ~~child protection team~~ must use a family-
953 centered approach to assess the capacity of the family to meet
954 those needs. A family-centered approach is intended to increase
955 independence on the part of the family, accessibility to
956 programs and services within the community, and collaboration
957 between families and their service providers. The ethnic,
958 cultural, economic, racial, social, and religious diversity of
959 families must be respected and considered in the development and
960 provision of services.

961 (3) The child shall be evaluated by the Child Protection
962 Team ~~child protection team~~ as soon as practicable. If the Child
963 Protection Team ~~child protection team~~ reports that medical
964 neglect is substantiated, the department shall convene a case
965 staffing which shall be attended, at a minimum, by the child
966 protective investigator; department legal staff; and
967 representatives from the Child Protection Team ~~child protection~~
968 ~~team~~ that evaluated the child, Children's Medical Services, the
969 Agency for Health Care Administration, the community-based care
970 lead agency, and any providers of services to the child.
971 However, the Agency for Health Care Administration is not
972 required to attend the staffing if the child is not Medicaid
973 eligible. The staffing shall consider, at a minimum, available
974 services, given the family's eligibility for services; services
975 that are effective in addressing conditions leading to medical

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976 neglect allegations; and services that would enable the child to
977 safely remain at home. Any services that are available and
978 effective shall be provided.

979 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
980 of Florida, which directed the Division of Law Revision and
981 Information to prepare a reviser's bill "to capitalize each
982 word of the term 'child protection team' wherever it occurs
983 in the Florida Statutes."

984 Section 22. Paragraphs (c) and (e) of subsection (2) of
985 section 39.307, Florida Statutes, are amended to read:

986 39.307 Reports of child-on-child sexual abuse.—

987 (2) The department, contracted sheriff's office providing
988 protective investigation services, or contracted case management
989 personnel responsible for providing services, at a minimum,
990 shall adhere to the following procedures:

991 (c) The assessment of risk and the perceived treatment
992 needs of the alleged abuser or child who has exhibited
993 inappropriate sexual behavior, the victim, and respective
994 caregivers shall be conducted by the district staff, the Child
995 Protection Team ~~child protection team~~ of the Department of
996 Health, and other providers under contract with the department
997 to provide services to the caregiver of the alleged offender,
998 the victim, and the victim's caregiver.

999 (e) If necessary, the Child Protection Team ~~child~~
1000 ~~protection team~~ of the Department of Health shall conduct a

1001 physical examination of the victim, which is sufficient to meet
 1002 forensic requirements.

1003 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
 1004 of Florida, which directed the Division of Law Revision and
 1005 Information to prepare a reviser's bill "to capitalize each
 1006 word of the term 'child protection team' wherever it occurs
 1007 in the Florida Statutes."
 1008 Section 23. Subsection (1) of section 39.5086, Florida
 1009 Statutes, is amended to read:

1010 39.5086 Kinship navigator programs.—

1011 (1) DEFINITIONS.—As used in this section, the term:

1012 (a) "Fictive kin" has the same meaning as provided in s.
 1013 39.4015(2)(d).

1014 (b) "Kinship care" means the full-time care of a child
 1015 placed in out-of-home care by the court in the home of a
 1016 relative or fictive kin.

1017 (c) "Kinship navigator program" means a program designed
 1018 to ensure that kinship caregivers are provided with necessary
 1019 resources for the preservation of the family.

1020 (d) "Relative" means an individual who is caring full time
 1021 for a child placed in out-of-home care by the court and who:

1022 1. Is related to the child within the fifth degree by
 1023 blood or marriage to the parent or stepparent of the child; or
 1024 2. Is related to a half-sibling of that child within the
 1025 fifth degree by blood or marriage to the parent or stepparent.

1026 Reviser's note.—Amended to confirm the editorial insertion of
 1027 the word "in" to improve clarity.

1028 Section 24. Paragraph (k) of subsection (2) of section
 1029 39.521, Florida Statutes, is amended to read:

1030 39.521 Disposition hearings; powers of disposition.—

1031 (2) The family functioning assessment must provide the
 1032 court with the following documented information:

1033 (k) The complete report and recommendation of the Child
 1034 Protection Team ~~child protection team~~ of the Department of
 1035 Health or, if no report exists, a statement reflecting that no
 1036 report has been made.

1037
 1038 Any other relevant and material evidence, including other
 1039 written or oral reports, may be received by the court in its
 1040 effort to determine the action to be taken with regard to the
 1041 child and may be relied upon to the extent of its probative
 1042 value, even though not competent in an adjudicatory hearing.
 1043 Except as otherwise specifically provided, nothing in this
 1044 section prohibits the publication of proceedings in a hearing.

1045 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
 1046 of Florida, which directed the Division of Law Revision and
 1047 Information to prepare a reviser's bill "to capitalize each
 1048 word of the term 'child protection team' wherever it occurs
 1049 in the Florida Statutes."

1050 Section 25. Subsection (1) of section 105.036, Florida

1051 Statutes, is amended to read:

1052 105.036 Initiative for method of selection for circuit or
1053 county court judges; procedures for placement on ballot.—

1054 (1) ~~Subsequent to the general election in the year 2000,~~ A
1055 local option for merit selection and retention or the election
1056 of circuit or county court judges may be placed on the ballot
1057 for the general election occurring in excess of 90 days from the
1058 certification of ballot position by the Secretary of State for
1059 circuit court judges or the county supervisor of elections for
1060 county court judges. The ballot shall provide for a vote on the
1061 method for selection of judges not currently used for filling
1062 judicial offices in the county or circuit.

1063 Reviser's note.—Amended to delete obsolete language.

1064 Section 26. Paragraph (d) of subsection (4) of section
1065 119.071, Florida Statutes, is amended to read:

1066 119.071 General exemptions from inspection or copying of
1067 public records.—

1068 (4) AGENCY PERSONNEL INFORMATION.—

1069 (d)1. For purposes of this paragraph, the term "telephone
1070 numbers" includes home telephone numbers, personal cellular
1071 telephone numbers, personal pager telephone numbers, and
1072 telephone numbers associated with personal communications
1073 devices.

1074 2.a. The home addresses, telephone numbers, dates of
1075 birth, and photographs of active or former sworn or civilian law

1076 enforcement personnel, including correctional and correctional
 1077 probation officers, personnel of the Department of Children and
 1078 Families whose duties include the investigation of abuse,
 1079 neglect, exploitation, fraud, theft, or other criminal
 1080 activities, personnel of the Department of Health whose duties
 1081 are to support the investigation of child abuse or neglect, and
 1082 personnel of the Department of Revenue or local governments
 1083 whose responsibilities include revenue collection and
 1084 enforcement or child support enforcement; the names, home
 1085 addresses, telephone numbers, photographs, dates of birth, and
 1086 places of employment of the spouses and children of such
 1087 personnel; and the names and locations of schools and day care
 1088 facilities attended by the children of such personnel are exempt
 1089 from s. 119.07(1) and s. 24(a), Art. I of the State
 1090 Constitution. This sub-subparagraph is subject to the Open
 1091 Government Sunset Review Act in accordance with s. 119.15 and
 1092 shall stand repealed on October 2, 2022, unless reviewed and
 1093 saved from repeal through reenactment by the Legislature.

1094 b. The home addresses, telephone numbers, dates of birth,
 1095 and photographs of current or former nonsworn investigative
 1096 personnel of the Department of Financial Services whose duties
 1097 include the investigation of fraud, theft, workers' compensation
 1098 coverage requirements and compliance, other related criminal
 1099 activities, or state regulatory requirement violations; the
 1100 names, home addresses, telephone numbers, dates of birth, and

1101 places of employment of the spouses and children of such
1102 personnel; and the names and locations of schools and day care
1103 facilities attended by the children of such personnel are exempt
1104 from s. 119.07(1) and s. 24(a), Art. I of the State
1105 Constitution. This sub-subparagraph is subject to the Open
1106 Government Sunset Review Act in accordance with s. 119.15 and
1107 shall stand repealed on October 2, 2021, unless reviewed and
1108 saved from repeal through reenactment by the Legislature.

1109 c. The home addresses, telephone numbers, dates of birth,
1110 and photographs of current or former nonsworn investigative
1111 personnel of the Office of Financial Regulation's Bureau of
1112 Financial Investigations whose duties include the investigation
1113 of fraud, theft, other related criminal activities, or state
1114 regulatory requirement violations; the names, home addresses,
1115 telephone numbers, dates of birth, and places of employment of
1116 the spouses and children of such personnel; and the names and
1117 locations of schools and day care facilities attended by the
1118 children of such personnel are exempt from s. 119.07(1) and s.
1119 24(a), Art. I of the State Constitution. This sub-subparagraph
1120 is subject to the Open Government Sunset Review Act in
1121 accordance with s. 119.15 and shall stand repealed on October 2,
1122 2022, unless reviewed and saved from repeal through reenactment
1123 by the Legislature.

1124 d. The home addresses, telephone numbers, dates of birth,
1125 and photographs of current or former firefighters certified in

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1126 compliance with s. 633.408; the names, home addresses, telephone
1127 numbers, photographs, dates of birth, and places of employment
1128 of the spouses and children of such firefighters; and the names
1129 and locations of schools and day care facilities attended by the
1130 children of such firefighters are exempt from s. 119.07(1) and
1131 s. 24(a), Art. I of the State Constitution. This sub-
1132 subparagraph is subject to the Open Government Sunset Review Act
1133 in accordance with s. 119.15, and shall stand repealed on
1134 October 2, 2022, unless reviewed and saved from repeal through
1135 reenactment by the Legislature.

1136 e. The home addresses, dates of birth, and telephone
1137 numbers of current or former justices of the Supreme Court,
1138 district court of appeal judges, circuit court judges, and
1139 county court judges; the names, home addresses, telephone
1140 numbers, dates of birth, and places of employment of the spouses
1141 and children of current or former justices and judges; and the
1142 names and locations of schools and day care facilities attended
1143 by the children of current or former justices and judges are
1144 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1145 Constitution. This sub-subparagraph is subject to the Open
1146 Government Sunset Review Act in accordance with s. 119.15 and
1147 shall stand repealed on October 2, 2022, unless reviewed and
1148 saved from repeal through reenactment by the Legislature.

1149 f. The home addresses, telephone numbers, dates of birth,
1150 and photographs of current or former state attorneys, assistant

1151 state attorneys, statewide prosecutors, or assistant statewide
1152 prosecutors; the names, home addresses, telephone numbers,
1153 photographs, dates of birth, and places of employment of the
1154 spouses and children of current or former state attorneys,
1155 assistant state attorneys, statewide prosecutors, or assistant
1156 statewide prosecutors; and the names and locations of schools
1157 and day care facilities attended by the children of current or
1158 former state attorneys, assistant state attorneys, statewide
1159 prosecutors, or assistant statewide prosecutors are exempt from
1160 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

1161 g. The home addresses, dates of birth, and telephone
1162 numbers of general magistrates, special magistrates, judges of
1163 compensation claims, administrative law judges of the Division
1164 of Administrative Hearings, and child support enforcement
1165 hearing officers; the names, home addresses, telephone numbers,
1166 dates of birth, and places of employment of the spouses and
1167 children of general magistrates, special magistrates, judges of
1168 compensation claims, administrative law judges of the Division
1169 of Administrative Hearings, and child support enforcement
1170 hearing officers; and the names and locations of schools and day
1171 care facilities attended by the children of general magistrates,
1172 special magistrates, judges of compensation claims,
1173 administrative law judges of the Division of Administrative
1174 Hearings, and child support enforcement hearing officers are
1175 exempt from s. 119.07(1) and s. 24(a), Art. I of the State

1176 Constitution. This sub-subparagraph is subject to the Open
 1177 Government Sunset Review Act in accordance with s. 119.15 and
 1178 shall stand repealed on October 2, 2022, unless reviewed and
 1179 saved from repeal through reenactment by the Legislature.

1180 h. The home addresses, telephone numbers, dates of birth,
 1181 and photographs of current or former human resource, labor
 1182 relations, or employee relations directors, assistant directors,
 1183 managers, or assistant managers of any local government agency
 1184 or water management district whose duties include hiring and
 1185 firing employees, labor contract negotiation, administration, or
 1186 other personnel-related duties; the names, home addresses,
 1187 telephone numbers, dates of birth, and places of employment of
 1188 the spouses and children of such personnel; and the names and
 1189 locations of schools and day care facilities attended by the
 1190 children of such personnel are exempt from s. 119.07(1) and s.
 1191 24(a), Art. I of the State Constitution.

1192 i. The home addresses, telephone numbers, dates of birth,
 1193 and photographs of current or former code enforcement officers;
 1194 the names, home addresses, telephone numbers, dates of birth,
 1195 and places of employment of the spouses and children of such
 1196 personnel; and the names and locations of schools and day care
 1197 facilities attended by the children of such personnel are exempt
 1198 from s. 119.07(1) and s. 24(a), Art. I of the State
 1199 Constitution.

1200 j. The home addresses, telephone numbers, places of

1201 employment, dates of birth, and photographs of current or former
 1202 guardians ad litem, as defined in s. 39.820; the names, home
 1203 addresses, telephone numbers, dates of birth, and places of
 1204 employment of the spouses and children of such persons; and the
 1205 names and locations of schools and day care facilities attended
 1206 by the children of such persons are exempt from s. 119.07(1) and
 1207 s. 24(a), Art. I of the State Constitution. This sub-
 1208 subparagraph is subject to the Open Government Sunset Review Act
 1209 in accordance with s. 119.15 and shall stand repealed on October
 1210 2, 2022, unless reviewed and saved from repeal through
 1211 reenactment by the Legislature.

1212 k. The home addresses, telephone numbers, dates of birth,
 1213 and photographs of current or former juvenile probation
 1214 officers, juvenile probation supervisors, detention
 1215 superintendents, assistant detention superintendents, juvenile
 1216 justice detention officers I and II, juvenile justice detention
 1217 officer supervisors, juvenile justice residential officers,
 1218 juvenile justice residential officer supervisors I and II,
 1219 juvenile justice counselors, juvenile justice counselor
 1220 supervisors, human services counselor administrators, senior
 1221 human services counselor administrators, rehabilitation
 1222 therapists, and social services counselors of the Department of
 1223 Juvenile Justice; the names, home addresses, telephone numbers,
 1224 dates of birth, and places of employment of spouses and children
 1225 of such personnel; and the names and locations of schools and

1226 day care facilities attended by the children of such personnel
 1227 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 1228 Constitution.

1229 1. The home addresses, telephone numbers, dates of birth,
 1230 and photographs of current or former public defenders, assistant
 1231 public defenders, criminal conflict and civil regional counsel,
 1232 and assistant criminal conflict and civil regional counsel; the
 1233 names, home addresses, telephone numbers, dates of birth, and
 1234 places of employment of the spouses and children of current or
 1235 former public defenders, assistant public defenders, criminal
 1236 conflict and civil regional counsel, and assistant criminal
 1237 conflict and civil regional counsel; and the names and locations
 1238 of schools and day care facilities attended by the children of
 1239 current or former public defenders, assistant public defenders,
 1240 criminal conflict and civil regional counsel, and assistant
 1241 criminal conflict and civil regional counsel are exempt from s.
 1242 119.07(1) and s. 24(a), Art. I of the State Constitution.

1243 m. The home addresses, telephone numbers, dates of birth,
 1244 and photographs of current or former investigators or inspectors
 1245 of the Department of Business and Professional Regulation; the
 1246 names, home addresses, telephone numbers, dates of birth, and
 1247 places of employment of the spouses and children of such current
 1248 or former investigators and inspectors; and the names and
 1249 locations of schools and day care facilities attended by the
 1250 children of such current or former investigators and inspectors

1251 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1252 Constitution. This sub-subparagraph is subject to the Open
1253 Government Sunset Review Act in accordance with s. 119.15 and
1254 shall stand repealed on October 2, 2022, unless reviewed and
1255 saved from repeal through reenactment by the Legislature.

1256 n. The home addresses, telephone numbers, and dates of
1257 birth of county tax collectors; the names, home addresses,
1258 telephone numbers, dates of birth, and places of employment of
1259 the spouses and children of such tax collectors; and the names
1260 and locations of schools and day care facilities attended by the
1261 children of such tax collectors are exempt from s. 119.07(1) and
1262 s. 24(a), Art. I of the State Constitution. This sub-
1263 subparagraph is subject to the Open Government Sunset Review Act
1264 in accordance with s. 119.15 and shall stand repealed on October
1265 2, 2022, unless reviewed and saved from repeal through
1266 reenactment by the Legislature.

1267 o. The home addresses, telephone numbers, dates of birth,
1268 and photographs of current or former personnel of the Department
1269 of Health whose duties include, or result in, the determination
1270 or adjudication of eligibility for social security disability
1271 benefits, the investigation or prosecution of complaints filed
1272 against health care practitioners, or the inspection of health
1273 care practitioners or health care facilities licensed by the
1274 Department of Health; the names, home addresses, telephone
1275 numbers, dates of birth, and places of employment of the spouses

1276 and children of such personnel; and the names and locations of
1277 schools and day care facilities attended by the children of such
1278 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
1279 the State Constitution. This sub-subparagraph is subject to the
1280 Open Government Sunset Review Act in accordance with s. 119.15
1281 and shall stand repealed on October 2, 2019, unless reviewed and
1282 saved from repeal through reenactment by the Legislature.

1283 p. The home addresses, telephone numbers, dates of birth,
1284 and photographs of current or former impaired practitioner
1285 consultants who are retained by an agency or current or former
1286 employees of an impaired practitioner consultant whose duties
1287 result in a determination of a person's skill and safety to
1288 practice a licensed profession; the names, home addresses,
1289 telephone numbers, dates of birth, and places of employment of
1290 the spouses and children of such consultants or their employees;
1291 and the names and locations of schools and day care facilities
1292 attended by the children of such consultants or employees are
1293 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1294 Constitution. This sub-subparagraph is subject to the Open
1295 Government Sunset Review Act in accordance with s. 119.15 and
1296 shall stand repealed on October 2, 2020, unless reviewed and
1297 saved from repeal through reenactment by the Legislature.

1298 q. The home addresses, telephone numbers, dates of birth,
1299 and photographs of current or former emergency medical
1300 technicians or paramedics certified under chapter 401; the

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1301 names, home addresses, telephone numbers, dates of birth, and
1302 places of employment of the spouses and children of such
1303 emergency medical technicians or paramedics; and the names and
1304 locations of schools and day care facilities attended by the
1305 children of such emergency medical technicians or paramedics are
1306 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1307 Constitution. This sub-subparagraph is subject to the Open
1308 Government Sunset Review Act in accordance with s. 119.15 and
1309 shall stand repealed on October 2, 2021, unless reviewed and
1310 saved from repeal through reenactment by the Legislature.

1311 r. The home addresses, telephone numbers, dates of birth,
1312 and photographs of current or former personnel employed in an
1313 agency's office of inspector general or internal audit
1314 department whose duties include auditing or investigating waste,
1315 fraud, abuse, theft, exploitation, or other activities that
1316 could lead to criminal prosecution or administrative discipline;
1317 the names, home addresses, telephone numbers, dates of birth,
1318 and places of employment of spouses and children of such
1319 personnel; and the names and locations of schools and day care
1320 facilities attended by the children of such personnel are exempt
1321 from s. 119.07(1) and s. 24(a), Art. I of the State
1322 Constitution. This sub-subparagraph is subject to the Open
1323 Government Sunset Review Act in accordance with s. 119.15 and
1324 shall stand repealed on October 2, 2021, unless reviewed and
1325 saved from repeal through reenactment by the Legislature.

1326 s. The home addresses, telephone numbers, dates of birth,
 1327 and photographs of current or former directors, managers,
 1328 supervisors, nurses, and clinical employees of an addiction
 1329 treatment facility; the home addresses, telephone numbers,
 1330 photographs, dates of birth, and places of employment of the
 1331 spouses and children of such personnel; and the names and
 1332 locations of schools and day care facilities attended by the
 1333 children of such personnel are exempt from s. 119.07(1) and s.
 1334 24(a), Art. I of the State Constitution. For purposes of this
 1335 sub-subparagraph, the term "addiction treatment facility" means
 1336 a county government, or agency thereof, that is licensed
 1337 pursuant to s. 397.401 and provides substance abuse prevention,
 1338 intervention, or clinical treatment, including any licensed
 1339 service component described in s. 397.311(26). This sub-
 1340 subparagraph is subject to the Open Government Sunset Review Act
 1341 in accordance with s. 119.15 and shall stand repealed on October
 1342 2, 2023, unless reviewed and saved from repeal through
 1343 reenactment by the Legislature.

1344 t. The home addresses, telephone numbers, dates of birth,
 1345 and photographs of current or former directors, managers,
 1346 supervisors, and clinical employees of a child advocacy center
 1347 that meets the standards of s. 39.3035(1) and fulfills the
 1348 screening requirement of s. 39.3035(2), and the members of a
 1349 Child Protection Team ~~child protection team~~ as described in s.
 1350 39.303 whose duties include supporting the investigation of

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1351 child abuse or sexual abuse, child abandonment, child neglect,
1352 and child exploitation or to provide services as part of a
1353 multidisciplinary case review team; the names, home addresses,
1354 telephone numbers, photographs, dates of birth, and places of
1355 employment of the spouses and children of such personnel and
1356 members; and the names and locations of schools and day care
1357 facilities attended by the children of such personnel and
1358 members are exempt from s. 119.07(1) and s. 24(a), Art. I of the
1359 State Constitution. This sub-subparagraph is subject to the Open
1360 Government Sunset Review Act in accordance with s. 119.15 and
1361 shall stand repealed on October 2, 2023, unless reviewed and
1362 saved from repeal through reenactment by the Legislature.

1363 3. An agency that is the custodian of the information
1364 specified in subparagraph 2. and that is not the employer of the
1365 officer, employee, justice, judge, or other person specified in
1366 subparagraph 2. shall maintain the exempt status of that
1367 information only if the officer, employee, justice, judge, other
1368 person, or employing agency of the designated employee submits a
1369 written request for maintenance of the exemption to the
1370 custodial agency.

1371 4. The exemptions in this paragraph apply to information
1372 held by an agency before, on, or after the effective date of the
1373 exemption.

1374 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
1375 of Florida, which directed the Division of Law Revision and

1376 Information to prepare a reviser's bill "to capitalize each
 1377 word of the term 'child protection team' wherever it occurs
 1378 in the Florida Statutes."

1379 Section 27. Subsection (5) of section 121.71, Florida
 1380 Statutes, is amended to read:

1381 121.71 Uniform rates; process; calculations; levy.—

1382 (5) In order to address unfunded actuarial liabilities of
 1383 the system, the required employer retirement contribution rates
 1384 for each membership class and subclass of the Florida Retirement
 1385 System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, 2018
1387 Regular Class	3.50%
1388 Special Risk Class	10.60%
1389 Special Risk 1390 Administrative	29.62%

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1391	Support Class	
1392	Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	<u>48.38%</u> 43.38%
1393	Elected Officers' Class— Justices, Judges	27.05%
1394	Elected Officers' Class— County Elected Officers	38.48%
1395	Senior Management Service Class	17.89%
1396	DROP	7.96%
1397	Reviser's note.—Amended to correct an editorial error to s. 1,	
1398	ch. 2018-12, Laws of Florida, which amended s. 121.71. The	
1399	enrolled act which became ch. 2018-12 provided a rate of	
1400	48.38%, not 43.38%.	
1401	Section 28. Subsection (2) of section 154.067, Florida	
1402	Statutes, is amended to read:	

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1403 154.067 Child abuse and neglect cases; duties.—The
 1404 Department of Health shall adopt a rule requiring every county
 1405 health department, as described in s. 154.01, to adopt a
 1406 protocol that, at a minimum, requires the county health
 1407 department to:

1408 (2) In any case involving suspected child abuse,
 1409 abandonment, or neglect, designate, at the request of the
 1410 department, a staff physician to act as a liaison between the
 1411 county health department and the Department of Children and
 1412 Families office that is investigating the suspected abuse,
 1413 abandonment, or neglect, and the Child Protection Team ~~child~~
 1414 ~~protection team~~, as defined in s. 39.01, when the case is
 1415 referred to such a team.

1416 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
 1417 of Florida, which directed the Division of Law Revision and
 1418 Information to prepare a reviser's bill "to capitalize each
 1419 word of the term 'child protection team' wherever it occurs
 1420 in the Florida Statutes."

1421 Section 29. Subsection (1) of section 159.834, Florida
 1422 Statutes, is amended to read:

1423 159.834 Allocation of state volume limitation.—

1424 (1) ~~By February 1, 2004,~~ The board shall establish a
 1425 program for allocating the state volume limitation imposed by s.
 1426 142(k)(5)(A) of the code on private activity bonds to finance
 1427 qualified public educational facilities. Such program shall

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1428 include objective criteria to be considered in determining
1429 whether to grant a request for such volume limitation,
1430 including, but not limited to, the need for a qualified public
1431 educational facility in the area proposed in the application,
1432 the number of students to be served by such facility, and the
1433 cost-effectiveness of the proposed facility. The program shall
1434 be administered by the department.

1435 Reviser's note.—Amended to delete obsolete language.

1436 Section 30. Section 163.3164, Florida Statutes, is
1437 reenacted to read:

1438 163.3164 Community Planning Act; definitions.—As used in
1439 this act:

1440 (1) "Adaptation action area" or "adaptation area" means a
1441 designation in the coastal management element of a local
1442 government's comprehensive plan which identifies one or more
1443 areas that experience coastal flooding due to extreme high tides
1444 and storm surge, and that are vulnerable to the related impacts
1445 of rising sea levels for the purpose of prioritizing funding for
1446 infrastructure needs and adaptation planning.

1447 (2) "Administration Commission" means the Governor and the
1448 Cabinet, and for purposes of this chapter the commission shall
1449 act on a simple majority vote, except that for purposes of
1450 imposing the sanctions provided in s. 163.3184(8), affirmative
1451 action shall require the approval of the Governor and at least
1452 three other members of the commission.

1453 (3) "Affordable housing" has the same meaning as in s.
 1454 420.0004(3).

1455 (4) "Agricultural enclave" means an unincorporated,
 1456 undeveloped parcel that:

1457 (a) Is owned by a single person or entity;

1458 (b) Has been in continuous use for bona fide agricultural
 1459 purposes, as defined by s. 193.461, for a period of 5 years
 1460 prior to the date of any comprehensive plan amendment
 1461 application;

1462 (c) Is surrounded on at least 75 percent of its perimeter
 1463 by:

1464 1. Property that has existing industrial, commercial, or
 1465 residential development; or

1466 2. Property that the local government has designated, in
 1467 the local government's comprehensive plan, zoning map, and
 1468 future land use map, as land that is to be developed for
 1469 industrial, commercial, or residential purposes, and at least 75
 1470 percent of such property is existing industrial, commercial, or
 1471 residential development;

1472 (d) Has public services, including water, wastewater,
 1473 transportation, schools, and recreation facilities, available or
 1474 such public services are scheduled in the capital improvement
 1475 element to be provided by the local government or can be
 1476 provided by an alternative provider of local government
 1477 infrastructure in order to ensure consistency with applicable

1478 concurrency provisions of s. 163.3180; and

1479 (e) Does not exceed 1,280 acres; however, if the property
1480 is surrounded by existing or authorized residential development
1481 that will result in a density at buildout of at least 1,000
1482 residents per square mile, then the area shall be determined to
1483 be urban and the parcel may not exceed 4,480 acres.

1484 (5) "Antiquated subdivision" means a subdivision that was
1485 recorded or approved more than 20 years ago and that has
1486 substantially failed to be built and the continued buildout of
1487 the subdivision in accordance with the subdivision's zoning and
1488 land use purposes would cause an imbalance of land uses and
1489 would be detrimental to the local and regional economies and
1490 environment, hinder current planning practices, and lead to
1491 inefficient and fiscally irresponsible development patterns as
1492 determined by the respective jurisdiction in which the
1493 subdivision is located.

1494 (6) "Area" or "area of jurisdiction" means the total area
1495 qualifying under this act, whether this be all of the lands
1496 lying within the limits of an incorporated municipality, lands
1497 in and adjacent to incorporated municipalities, all
1498 unincorporated lands within a county, or areas comprising
1499 combinations of the lands in incorporated municipalities and
1500 unincorporated areas of counties.

1501 (7) "Capital improvement" means physical assets
1502 constructed or purchased to provide, improve, or replace a

1503 public facility and which are typically large scale and high in
1504 cost. The cost of a capital improvement is generally
1505 nonrecurring and may require multiyear financing. For the
1506 purposes of this part, physical assets that have been identified
1507 as existing or projected needs in the individual comprehensive
1508 plan elements shall be considered capital improvements.

1509 (8) "Coastal area" means the 35 coastal counties and all
1510 coastal municipalities within their boundaries.

1511 (9) "Compatibility" means a condition in which land uses
1512 or conditions can coexist in relative proximity to each other in
1513 a stable fashion over time such that no use or condition is
1514 unduly negatively impacted directly or indirectly by another use
1515 or condition.

1516 (10) "Comprehensive plan" means a plan that meets the
1517 requirements of ss. 163.3177 and 163.3178.

1518 (11) "Deepwater ports" means the ports identified in s.
1519 403.021(9).

1520 (12) "Density" means an objective measurement of the
1521 number of people or residential units allowed per unit of land,
1522 such as residents or employees per acre.

1523 (13) "Developer" means any person, including a
1524 governmental agency, undertaking any development as defined in
1525 this act.

1526 (14) "Development" has the same meaning as in s. 380.04.

1527 (15) "Development order" means any order granting,

1528 denying, or granting with conditions an application for a
 1529 development permit.

1530 (16) "Development permit" includes any building permit,
 1531 zoning permit, subdivision approval, rezoning, certification,
 1532 special exception, variance, or any other official action of
 1533 local government having the effect of permitting the development
 1534 of land.

1535 (17) "Downtown revitalization" means the physical and
 1536 economic renewal of a central business district of a community
 1537 as designated by local government, and includes both downtown
 1538 development and redevelopment.

1539 (18) "Floodprone areas" means areas inundated during a
 1540 100-year flood event or areas identified by the National Flood
 1541 Insurance Program as an A Zone on flood insurance rate maps or
 1542 flood hazard boundary maps.

1543 (19) "Goal" means the long-term end toward which programs
 1544 or activities are ultimately directed.

1545 (20) "Governing body" means the board of county
 1546 commissioners of a county, the commission or council of an
 1547 incorporated municipality, or any other chief governing body of
 1548 a unit of local government, however designated, or the
 1549 combination of such bodies where joint utilization of this act
 1550 is accomplished as provided herein.

1551 (21) "Governmental agency" means:

1552 (a) The United States or any department, commission,

1553 | agency, or other instrumentality thereof.

1554 | (b) This state or any department, commission, agency, or
1555 | other instrumentality thereof.

1556 | (c) Any local government, as defined in this section, or
1557 | any department, commission, agency, or other instrumentality
1558 | thereof.

1559 | (d) Any school board or other special district, authority,
1560 | or governmental entity.

1561 | (22) "Intensity" means an objective measurement of the
1562 | extent to which land may be developed or used, including the
1563 | consumption or use of the space above, on, or below ground; the
1564 | measurement of the use of or demand on natural resources; and
1565 | the measurement of the use of or demand on facilities and
1566 | services.

1567 | (23) "Internal trip capture" means trips generated by a
1568 | mixed-use project that travel from one onsite land use to
1569 | another onsite land use without using the external road network.

1570 | (24) "Land" means the earth, water, and air, above, below,
1571 | or on the surface, and includes any improvements or structures
1572 | customarily regarded as land.

1573 | (25) "Land development regulation commission" means a
1574 | commission designated by a local government to develop and
1575 | recommend, to the local governing body, land development
1576 | regulations which implement the adopted comprehensive plan and
1577 | to review land development regulations, or amendments thereto,

1578 for consistency with the adopted plan and report to the
1579 governing body regarding its findings. The responsibilities of
1580 the land development regulation commission may be performed by
1581 the local planning agency.

1582 (26) "Land development regulations" means ordinances
1583 enacted by governing bodies for the regulation of any aspect of
1584 development and includes any local government zoning, rezoning,
1585 subdivision, building construction, or sign regulations or any
1586 other regulations controlling the development of land, except
1587 that this definition does not apply in s. 163.3213.

1588 (27) "Land use" means the development that has occurred on
1589 the land, the development that is proposed by a developer on the
1590 land, or the use that is permitted or permissible on the land
1591 under an adopted comprehensive plan or element or portion
1592 thereof, land development regulations, or a land development
1593 code, as the context may indicate.

1594 (28) "Level of service" means an indicator of the extent
1595 or degree of service provided by, or proposed to be provided by,
1596 a facility based on and related to the operational
1597 characteristics of the facility. Level of service shall indicate
1598 the capacity per unit of demand for each public facility.

1599 (29) "Local government" means any county or municipality.

1600 (30) "Local planning agency" means the agency designated
1601 to prepare the comprehensive plan or plan amendments required by
1602 this act.

1603 (31) "Master development plan" or "master plan," for the
1604 purposes of this act and 26 U.S.C. s. 118, means a planning
1605 document that integrates plans, orders, agreements, designs, and
1606 studies to guide development as defined in this section and may
1607 include, as appropriate, authorized land uses, authorized
1608 amounts of horizontal and vertical development, and public
1609 facilities, including local and regional water storage for water
1610 quality and water supply. The term includes, but is not limited
1611 to, a plan for a development under this chapter or chapter 380,
1612 a basin management action plan pursuant to s. 403.067(7), a
1613 regional water supply plan pursuant to s. 373.709, a watershed
1614 protection plan pursuant to s. 373.4595, and a spring protection
1615 plan developed pursuant to s. 373.807.

1616 (32) "Newspaper of general circulation" means a newspaper
1617 published at least on a weekly basis and printed in the language
1618 most commonly spoken in the area within which it circulates, but
1619 does not include a newspaper intended primarily for members of a
1620 particular professional or occupational group, a newspaper whose
1621 primary function is to carry legal notices, or a newspaper that
1622 is given away primarily to distribute advertising.

1623 (33) "New town" means an urban activity center and
1624 community designated on the future land use map of sufficient
1625 size, population, and land use composition to support a variety
1626 of economic and social activities consistent with an urban area
1627 designation. New towns shall include basic economic activities;

1628 | all major land use categories, with the possible exception of
 1629 | agricultural and industrial; and a centrally provided full range
 1630 | of public facilities and services that demonstrate internal trip
 1631 | capture. A new town shall be based on a master development plan.

1632 | (34) "Objective" means a specific, measurable,
 1633 | intermediate end that is achievable and marks progress toward a
 1634 | goal.

1635 | (35) "Parcel of land" means any quantity of land capable
 1636 | of being described with such definiteness that its locations and
 1637 | boundaries may be established, which is designated by its owner
 1638 | or developer as land to be used, or developed as, a unit or
 1639 | which has been used or developed as a unit.

1640 | (36) "Person" means an individual, corporation,
 1641 | governmental agency, business trust, estate, trust, partnership,
 1642 | association, two or more persons having a joint or common
 1643 | interest, or any other legal entity.

1644 | (37) "Policy" means the way in which programs and
 1645 | activities are conducted to achieve an identified goal.

1646 | (38) "Projects that promote public transportation" means
 1647 | projects that directly affect the provisions of public transit,
 1648 | including transit terminals, transit lines and routes, separate
 1649 | lanes for the exclusive use of public transit services, transit
 1650 | stops (shelters and stations), office buildings or projects that
 1651 | include fixed-rail or transit terminals as part of the building,
 1652 | and projects which are transit oriented and designed to

1653 complement reasonably proximate planned or existing public
1654 facilities.

1655 (39) "Public facilities" means major capital improvements,
1656 including transportation, sanitary sewer, solid waste, drainage,
1657 potable water, educational, parks and recreational facilities.

1658 (40) "Public notice" means notice as required by s.
1659 125.66(2) for a county or by s. 166.041(3)(a) for a
1660 municipality. The public notice procedures required in this part
1661 are established as minimum public notice procedures.

1662 (41) "Regional planning agency" means the council created
1663 pursuant to chapter 186.

1664 (42) "Seasonal population" means part-time inhabitants who
1665 use, or may be expected to use, public facilities or services,
1666 but are not residents and includes tourists, migrant
1667 farmworkers, and other short-term and long-term visitors.

1668 (43) "Sector plan" means the process authorized by s.
1669 163.3245 in which one or more local governments engage in long-
1670 term planning for a large area and address regional issues
1671 through adoption of detailed specific area plans within the
1672 planning area as a means of fostering innovative planning and
1673 development strategies, furthering the purposes of this part and
1674 part I of chapter 380, reducing overlapping data and analysis
1675 requirements, protecting regionally significant resources and
1676 facilities, and addressing extrajurisdictional impacts. The term
1677 includes an optional sector plan that was adopted before June 2,

1678 | 2011.

1679 | (44) "State land planning agency" means the Department of
1680 | Economic Opportunity.

1681 | (45) "Structure" has the same meaning as in s.
1682 | 380.031(19).

1683 | (46) "Suitability" means the degree to which the existing
1684 | characteristics and limitations of land and water are compatible
1685 | with a proposed use or development.

1686 | (47) "Transit-oriented development" means a project or
1687 | projects, in areas identified in a local government
1688 | comprehensive plan, that is or will be served by existing or
1689 | planned transit service. These designated areas shall be
1690 | compact, moderate to high density developments, of mixed-use
1691 | character, interconnected with other land uses, bicycle and
1692 | pedestrian friendly, and designed to support frequent transit
1693 | service operating through, collectively or separately, rail,
1694 | fixed guideway, streetcar, or bus systems on dedicated
1695 | facilities or available roadway connections.

1696 | (48) "Transportation corridor management" means the
1697 | coordination of the planning of designated future transportation
1698 | corridors with land use planning within and adjacent to the
1699 | corridor to promote orderly growth, to meet the concurrency
1700 | requirements of this chapter, and to maintain the integrity of
1701 | the corridor for transportation purposes.

1702 | (49) "Urban infill" means the development of vacant

1703 parcels in otherwise built-up areas where public facilities such
1704 as sewer systems, roads, schools, and recreation areas are
1705 already in place and the average residential density is at least
1706 five dwelling units per acre, the average nonresidential
1707 intensity is at least a floor area ratio of 1.0 and vacant,
1708 developable land does not constitute more than 10 percent of the
1709 area.

1710 (50) "Urban redevelopment" means demolition and
1711 reconstruction or substantial renovation of existing buildings
1712 or infrastructure within urban infill areas, existing urban
1713 service areas, or community redevelopment areas created pursuant
1714 to part III.

1715 (51) "Urban service area" means areas identified in the
1716 comprehensive plan where public facilities and services,
1717 including, but not limited to, central water and sewer capacity
1718 and roads, are already in place or are identified in the capital
1719 improvements element. The term includes any areas identified in
1720 the comprehensive plan as urban service areas, regardless of
1721 local government limitation.

1722 (52) "Urban sprawl" means a development pattern
1723 characterized by low density, automobile-dependent development
1724 with either a single use or multiple uses that are not
1725 functionally related, requiring the extension of public
1726 facilities and services in an inefficient manner, and failing to
1727 provide a clear separation between urban and rural uses.

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1728 Reviser's note.—Section 21, ch. 2018-158, Laws of Florida, added
1729 a new subsection (31) to s. 163.3164 and redesignated
1730 existing subsections (31)-(51) as subsections (32)-(52) to
1731 conform to the addition of the new subsection, but did not
1732 publish the section number, catchline, and introductory
1733 paragraph of s. 163.3164. Absent affirmative evidence of
1734 legislative intent to repeal the section number, catchline,
1735 and introductory paragraph of the section, the section is
1736 reenacted to confirm the omission was not intended.

1737 Section 31. Paragraph (f) of subsection (6) of section
1738 163.3177, Florida Statutes, is amended to read:

1739 163.3177 Required and optional elements of comprehensive
1740 plan; studies and surveys.—

1741 (6) In addition to the requirements of subsections (1)-
1742 (5), the comprehensive plan shall include the following
1743 elements:

1744 (f)1. A housing element consisting of principles,
1745 guidelines, standards, and strategies to be followed in:

1746 a. The provision of housing for all current and
1747 anticipated future residents of the jurisdiction.

1748 b. The elimination of substandard dwelling conditions.

1749 c. The structural and aesthetic improvement of existing
1750 housing.

1751 d. The provision of adequate sites for future housing,
1752 including affordable workforce housing as defined in s.

1753 | 380.0651(1)(h) ~~380.0651(3)(h)~~, housing for low-income, very low-
 1754 | income, and moderate-income families, mobile homes, and group
 1755 | home facilities and foster care facilities, with supporting
 1756 | infrastructure and public facilities. The element may include
 1757 | provisions that specifically address affordable housing for
 1758 | persons 60 years of age or older. Real property that is conveyed
 1759 | to a local government for affordable housing under this sub-
 1760 | subparagraph shall be disposed of by the local government
 1761 | pursuant to s. 125.379 or s. 166.0451.

1762 | e. Provision for relocation housing and identification of
 1763 | historically significant and other housing for purposes of
 1764 | conservation, rehabilitation, or replacement.

1765 | f. The formulation of housing implementation programs.

1766 | g. The creation or preservation of affordable housing to
 1767 | minimize the need for additional local services and avoid the
 1768 | concentration of affordable housing units only in specific areas
 1769 | of the jurisdiction.

1770 | 2. The principles, guidelines, standards, and strategies
 1771 | of the housing element must be based on data and analysis
 1772 | prepared on housing needs, which shall include the number and
 1773 | distribution of dwelling units by type, tenure, age, rent,
 1774 | value, monthly cost of owner-occupied units, and rent or cost to
 1775 | income ratio, and shall show the number of dwelling units that
 1776 | are substandard. The data and analysis shall also include the
 1777 | methodology used to estimate the condition of housing, a

1778 projection of the anticipated number of households by size,
1779 income range, and age of residents derived from the population
1780 projections, and the minimum housing need of the current and
1781 anticipated future residents of the jurisdiction.

1782 3. The housing element must express principles,
1783 guidelines, standards, and strategies that reflect, as needed,
1784 the creation and preservation of affordable housing for all
1785 current and anticipated future residents of the jurisdiction,
1786 elimination of substandard housing conditions, adequate sites,
1787 and distribution of housing for a range of incomes and types,
1788 including mobile and manufactured homes. The element must
1789 provide for specific programs and actions to partner with
1790 private and nonprofit sectors to address housing needs in the
1791 jurisdiction, streamline the permitting process, and minimize
1792 costs and delays for affordable housing, establish standards to
1793 address the quality of housing, stabilization of neighborhoods,
1794 and identification and improvement of historically significant
1795 housing.

1796 4. State and federal housing plans prepared on behalf of
1797 the local government must be consistent with the goals,
1798 objectives, and policies of the housing element. Local
1799 governments are encouraged to use job training, job creation,
1800 and economic solutions to address a portion of their affordable
1801 housing concerns.

1802 Reviser's note.—Amended to conform to the redesignation of s.

1803 380.0651(3)(h) as s. 380.0651(1)(h) by s. 3, ch. 2018-158,
 1804 Laws of Florida.

1805 Section 32. Subsection (2) of section 193.4615, Florida
 1806 Statutes, is amended to read:

1807 193.4615 Assessment of obsolete agricultural equipment.—

1808 ~~(2) This section shall take effect January 1, 2007.~~

1809 Reviser's note.—Amended to delete obsolete language.

1810 Section 33. Subsection (3) of section 196.075, Florida
 1811 Statutes, is amended to read:

1812 196.075 Additional homestead exemption for persons 65 and
 1813 older.—

1814 (3) ~~Beginning January 1, 2001,~~ The \$20,000 income
 1815 limitation shall be adjusted annually, on January 1, by the
 1816 percentage change in the average cost-of-living index in the
 1817 period January 1 through December 31 of the immediate prior year
 1818 compared with the same period for the year prior to that. The
 1819 index is the average of the monthly consumer-price-index figures
 1820 for the stated 12-month period, relative to the United States as
 1821 a whole, issued by the United States Department of Labor.

1822 Reviser's note.—Amended to delete obsolete language.

1823 Section 34. Paragraph (b) of subsection (4) of section
 1824 196.1975, Florida Statutes, is amended to read:

1825 196.1975 Exemption for property used by nonprofit homes
 1826 for the aged.—Nonprofit homes for the aged are exempt to the
 1827 extent that they meet the following criteria:

1828 (4)
 1829 (b) The maximum income limitations permitted in this
 1830 subsection shall be adjusted, effective January 1, ~~1977, and on~~
 1831 ~~each succeeding~~ year, by the percentage change in the average
 1832 cost-of-living index in the period January 1 through December 31
 1833 of the immediate prior year compared with the same period for
 1834 the year prior to that. The index is the average of the monthly
 1835 consumer price index figures for the stated 12-month period,
 1836 relative to the United States as a whole, issued by the United
 1837 States Department of Labor.

1838 Reviser's note.—Amended to delete obsolete language.

1839 Section 35. Section 210.03, Florida Statutes, is amended
 1840 to read:

1841 210.03 Prohibition against levying of cigarette taxes by
 1842 municipalities.—No municipality shall, ~~after July 1, 1972,~~ levy
 1843 or collect any excise tax on cigarettes.

1844 Reviser's note.—Amended to delete obsolete language.

1845 Section 36. Paragraph (a) of subsection (4) of section
 1846 216.136, Florida Statutes, is amended to read:

1847 216.136 Consensus estimating conferences; duties and
 1848 principals.—

1849 (4) EDUCATION ESTIMATING CONFERENCE.—

1850 (a) The Education Estimating Conference shall develop such
 1851 official information relating to the state public and private
 1852 educational system, including forecasts of student enrollments,

1853 the national average of tuition and fees at public postsecondary
1854 educational institutions, the number of students qualified for
1855 state financial aid programs and for the William L. Boyd, IV,
1856 Effective Access to Student Education ~~Florida Resident Access~~
1857 Grant Program and the appropriation required to fund the full
1858 award amounts for each program, fixed capital outlay needs, and
1859 Florida Education Finance Program formula needs, as the
1860 conference determines is needed for the state planning and
1861 budgeting system. The conference's initial projections of
1862 enrollments in public schools shall be forwarded by the
1863 conference to each school district no later than 2 months prior
1864 to the start of the regular session of the Legislature. Each
1865 school district may, in writing, request adjustments to the
1866 initial projections. Any adjustment request shall be submitted
1867 to the conference no later than 1 month prior to the start of
1868 the regular session of the Legislature and shall be considered
1869 by the principals of the conference. A school district may amend
1870 its adjustment request, in writing, during the first 3 weeks of
1871 the legislative session, and such amended adjustment request
1872 shall be considered by the principals of the conference. For any
1873 adjustment so requested, the district shall indicate and
1874 explain, using definitions adopted by the conference, the
1875 components of anticipated enrollment changes that correspond to
1876 continuation of current programs with workload changes; program
1877 improvement; program reduction or elimination; initiation of new

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1878 programs; and any other information that may be needed by the
1879 Legislature. For public schools, the conference shall submit its
1880 full-time equivalent student consensus estimate to the
1881 Legislature no later than 1 month after the start of the regular
1882 session of the Legislature. No conference estimate may be
1883 changed without the agreement of the full conference.

1884 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
1885 Florida, which directed the Division of Law Revision and
1886 Information "to substitute the term 'Effective Access to
1887 Student Education Grant Program' for 'Florida Resident
1888 Access Grant Program' and the term 'Effective Access to
1889 Student Education grant' for 'Florida resident access
1890 grant' wherever those terms appear in the Florida
1891 Statutes."

1892 Section 37. Subsection (1) of section 218.135, Florida
1893 Statutes, is amended to read:

1894 218.135 Offset for tax loss associated with reductions in
1895 value of certain citrus fruit packing and processing equipment.—

1896 (1) For the 2018-2019 fiscal year, the Legislature shall
1897 appropriate moneys to offset the reductions in ad valorem tax
1898 revenue experienced by fiscally constrained counties, as defined
1899 in s. 218.67(1), which occur as a direct result of the
1900 implementation of s. 193.4516. The moneys appropriated for this
1901 purpose shall be distributed in January 2019 among the fiscally
1902 constrained counties based on each county's proportion of the

1903 total reduction in ad valorem tax revenue resulting from the
 1904 implementation of s. 193.4516.

1905 Reviser's note.—Amended to confirm the editorial insertion of
 1906 the word "of" to improve clarity.

1907 Section 38. Section 218.401, Florida Statutes, is amended
 1908 to read:

1909 218.401 Purpose.—It is the intent of this part to promote,
 1910 through state assistance, the maximization of net interest
 1911 earnings on invested surplus funds of local units of government,
 1912 based on the principles ~~principals~~ of investor protection,
 1913 mandated transparency, and proper governance, with the goal of
 1914 reducing the need for imposing additional taxes.

1915 Reviser's note.—Amended to confirm the editorial substitution of
 1916 the word "principles" for the word "principals" to conform
 1917 to context.

1918 Section 39. Subsection (1) of section 220.11, Florida
 1919 Statutes, is amended to read:

1920 220.11 Tax imposed.—

1921 (1) A tax measured by net income is hereby imposed on
 1922 every taxpayer for each taxable year ~~commencing on or after~~
 1923 ~~January 1, 1972, and for each taxable year which begins before~~
 1924 ~~and ends after January 1, 1972,~~ for the privilege of conducting
 1925 business, earning or receiving income in this state, or being a
 1926 resident or citizen of this state. Such tax shall be in addition
 1927 to all other occupation, excise, privilege, and property taxes

1928 imposed by this state or by any political subdivision thereof,
 1929 including any municipality or other district, jurisdiction, or
 1930 authority of this state.

1931 Reviser's note.—Amended to delete obsolete language.

1932 Section 40. Subsection (10) of section 243.20, Florida
 1933 Statutes, is amended to read:

1934 243.20 Definitions.—The following terms, wherever used or
 1935 referred to in this part shall have the following respective
 1936 meanings, unless a different meaning clearly appears from the
 1937 context:

1938 (10) "Loan in anticipation of tuition revenues" means a
 1939 loan to a private institution for higher education under
 1940 circumstances in which tuition revenues anticipated to be
 1941 received by the institution in any budget year are estimated to
 1942 be insufficient at any time during the budget year to pay the
 1943 operating expenses or other obligations of the institution in
 1944 accordance with the budget of the institution. The loans are
 1945 permitted within guidelines adopted by the authority consistent
 1946 with the provisions for similar loans undertaken by school
 1947 districts under s. 1011.13, excluding provisions applicable to
 1948 the limitations on borrowings relating to the levy of taxes and
 1949 the adoption of budgets in accordance with law applicable solely
 1950 to school districts. The Effective Access to Student Education
 1951 ~~Florida resident access~~ grant shall not be considered tuition
 1952 revenues for the purpose of calculating a loan to a private

1953 institution pursuant to the provision of this chapter.
 1954 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
 1955 Florida, which directed the Division of Law Revision and
 1956 Information "to substitute the term 'Effective Access to
 1957 Student Education Grant Program' for 'Florida Resident
 1958 Access Grant Program' and the term 'Effective Access to
 1959 Student Education grant' for 'Florida resident access
 1960 grant' wherever those terms appear in the Florida
 1961 Statutes."

1962 Section 41. Paragraph (a) of subsection (7) of section
 1963 259.105, Florida Statutes, is amended to read:

1964 259.105 The Florida Forever Act.—

1965 (7) (a) ~~Beginning~~ No later than July 1 annually ~~, 2001, and~~
 1966 ~~every year thereafter~~, the Acquisition and Restoration Council
 1967 shall accept applications from state agencies, local
 1968 governments, nonprofit and for-profit organizations, private
 1969 land trusts, and individuals for project proposals eligible for
 1970 funding pursuant to paragraph (3) (b). The council shall evaluate
 1971 the proposals received pursuant to this subsection to ensure
 1972 that they meet at least one of the criteria under subsection
 1973 (9).

1974 Reviser's note.—Amended to delete obsolete language.

1975 Section 42. Subsection (4) of section 282.705, Florida
 1976 Statutes, is amended to read:

1977 282.705 Use of state SUNCOM Network by nonprofit

1978 | corporations.—

1979 | (4) Institutions qualified to participate in the William

1980 | L. Boyd, IV, Effective Access to Student Education Florida

1981 | ~~Resident Access~~ Grant Program pursuant to s. 1009.89 are

1982 | eligible to use the state SUNCOM Network, subject to the terms

1983 | and conditions of the department. Such entities are not required

1984 | to satisfy the other criteria of this section.

1985 | Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of

1986 | Florida, which directed the Division of Law Revision and

1987 | Information "to substitute the term 'Effective Access to

1988 | Student Education Grant Program' for 'Florida Resident

1989 | Access Grant Program' and the term 'Effective Access to

1990 | Student Education grant' for 'Florida resident access

1991 | grant' wherever those terms appear in the Florida

1992 | Statutes."

1993 | Section 43. Subsection (7) of section 288.9623, Florida

1994 | Statutes, is amended to read:

1995 | 288.9623 Definitions.—As used in ss. 288.9621-288.96255,

1996 | the term:

1997 | (7) "Portfolio companies" means the companies that ~~who~~ are

1998 | part of the Florida Technology Seed Capital Fund investment

1999 | portfolio.

2000 | Reviser's note.—Amended to confirm the editorial substitution of

2001 | the word "that" for the word "who" to conform to context.

2002 | Section 44. Subsection (9) of section 316.614, Florida

2003 Statutes, is amended to read:

2004 316.614 Safety belt usage.—

2005 (9) ~~By January 1, 2006,~~ Each law enforcement agency in
 2006 this state shall adopt departmental policies to prohibit the
 2007 practice of racial profiling. When a law enforcement officer
 2008 issues a citation for a violation of this section, the law
 2009 enforcement officer must record the race and ethnicity of the
 2010 violator. All law enforcement agencies must maintain such
 2011 information and forward the information to the department in a
 2012 form and manner determined by the department. The department
 2013 shall collect this information by jurisdiction and annually
 2014 report the data to the Governor, the President of the Senate,
 2015 and the Speaker of the House of Representatives. The report must
 2016 show separate statewide totals for the state's county sheriffs
 2017 and municipal law enforcement agencies, state law enforcement
 2018 agencies, and state university law enforcement agencies.

2019 Reviser's note.—Amended to delete obsolete language.

2020 Section 45. Subsection (4) of section 322.09, Florida
 2021 Statutes, is amended to read:

2022 322.09 Application of minors; responsibility for
 2023 negligence or misconduct of minor.—

2024 (4) Notwithstanding subsections (1) and (2), if a
 2025 caregiver of a minor who is under the age of 18 years and is in
 2026 out-of-home care as defined in s. 39.01(55) ~~39.01(49)~~, an
 2027 authorized representative of a residential group home at which

2028 such a minor resides, the caseworker at the agency at which the
 2029 state has placed the minor, or a guardian ad litem specifically
 2030 authorized by the minor's caregiver to sign for a learner's
 2031 driver license signs the minor's application for a learner's
 2032 driver license, that caregiver, group home representative,
 2033 caseworker, or guardian ad litem does not assume any obligation
 2034 or become liable for any damages caused by the negligence or
 2035 willful misconduct of the minor by reason of having signed the
 2036 application. Before signing the application, the caseworker,
 2037 authorized group home representative, or guardian ad litem shall
 2038 notify the caregiver or other responsible party of his or her
 2039 intent to sign and verify the application.

2040 Reviser's note.—Amended to conform to the redesignation of s.
 2041 39.01(49) as s. 39.01(55) by s. 1, ch. 2018-103, Laws of
 2042 Florida.

2043 Section 46. Subsection (1) of section 328.76, Florida
 2044 Statutes, is amended to read:

2045 328.76 Marine Resources Conservation Trust Fund; vessel
 2046 registration funds; appropriation and distribution.—

2047 (1) Except as otherwise specified in this subsection and
 2048 less the amount equal to any administrative costs which shall be
 2049 deposited in the Highway Safety Operating Trust Fund, in each
 2050 fiscal year ~~beginning on or after July 1, 2001,~~ all funds
 2051 collected from the registration of vessels through the
 2052 Department of Highway Safety and Motor Vehicles and the tax

2053 collectors of the state and funds transferred from the General
 2054 Revenue Fund pursuant to s. 328.72(18), except for those funds
 2055 designated as the county portion pursuant to s. 328.72(1), shall
 2056 be deposited in the Marine Resources Conservation Trust Fund for
 2057 recreational channel marking; public launching facilities; law
 2058 enforcement and quality control programs; aquatic weed control;
 2059 manatee protection, recovery, rescue, rehabilitation, and
 2060 release; and marine mammal protection and recovery. The funds
 2061 collected pursuant to s. 328.72(1) shall be transferred as
 2062 follows:

2063 (a) In each fiscal year, an amount equal to \$1.50 for each
 2064 commercial and recreational vessel registered in this state
 2065 shall be transferred by the Department of Highway Safety and
 2066 Motor Vehicles to the Save the Manatee Trust Fund and shall be
 2067 used only for the purposes specified in s. 379.2431(4).

2068 (b) An amount equal to \$2 from each recreational vessel
 2069 registration fee, except that for class A-1 vessels, shall be
 2070 transferred by the Department of Highway Safety and Motor
 2071 Vehicles to the Invasive Plant Control Trust Fund in the Fish
 2072 and Wildlife Conservation Commission for aquatic weed research
 2073 and control.

2074 (c) An amount equal to 40 percent of the registration fees
 2075 from commercial vessels shall be transferred by the Department
 2076 of Highway Safety and Motor Vehicles to the Invasive Plant
 2077 Control Trust Fund in the Fish and Wildlife Conservation

2078 Commission for aquatic plant research and control.

2079 (d) An amount equal to 40 percent of the registration fees
 2080 from commercial vessels shall be transferred by the Department
 2081 of Highway Safety and Motor Vehicles, on a monthly basis, to the
 2082 General Inspection Trust Fund of the Department of Agriculture
 2083 and Consumer Services. These funds shall be used for shellfish
 2084 and aquaculture development and quality control programs.

2085 Reviser's note.—Amended to delete obsolete language.

2086 Section 47. Subsection (1) of section 348.0012, Florida
 2087 Statutes, is amended to read:

2088 348.0012 Exemptions from applicability.—The Florida
 2089 Expressway Authority Act does not apply:

2090 (1) In a county in which an expressway authority has been
 2091 created pursuant to parts II-V ~~II-IX~~ of this chapter, except as
 2092 expressly provided in this part; or

2093 Reviser's note.—Amended to conform to the consolidation or
 2094 repeal of some of the parts comprising chapter 348.

2095 Section 48. Section 364.163, Florida Statutes, is amended
 2096 to read:

2097 364.163 Network access services.—For purposes of this
 2098 section, the term "network access service" is defined as any
 2099 service provided by a local exchange telecommunications company
 2100 to a telecommunications company certificated under this chapter
 2101 or licensed by the Federal Communications Commission to access
 2102 the local exchange telecommunications network, excluding local

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2103 interconnection, resale, or unbundling pursuant to s. 364.16.
2104 Each local exchange telecommunications company shall maintain
2105 tariffs with the commission containing the terms, conditions,
2106 and rates for each of its network access services. ~~The switched~~
2107 ~~network access service rates in effect immediately prior to July~~
2108 ~~1, 2007, shall be, and shall remain, capped at that level until~~
2109 ~~July 1, 2010.~~ An interexchange telecommunications company may
2110 not institute any intrastate connection fee or any similarly
2111 named fee.

2112 Reviser's note.—Amended to delete obsolete language.

2113 Section 49. Section 373.206, Florida Statutes, is amended
2114 to read:

2115 373.206 Artesian wells; flow regulated.—Every person,
2116 stock company, association, corporation, county, or municipality
2117 owning or controlling the real estate upon which is located a
2118 flowing artesian well in this state shall, ~~within 90 days after~~
2119 ~~June 15, 1953,~~ provide each such well with a valve capable of
2120 controlling the discharge from the well and shall keep the valve
2121 so adjusted that only a supply of water is available which is
2122 necessary for ordinary use by the owner, tenant, occupant, or
2123 person in control of the land for personal use and for
2124 conducting his or her business. Upon the determination by the
2125 Department of Environmental Protection or the appropriate water
2126 management district that the water in an artesian well is of
2127 such poor quality as to have an adverse impact upon an aquifer

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2128 or other water body which serves as a source of public drinking
2129 water or which is likely to be such a source in the future, such
2130 well shall be plugged in accordance with department or
2131 appropriate water management district specifications for well
2132 plugging.

2133 Reviser's note.—Amended to delete obsolete language.

2134 Section 50. Section 373.5905, Florida Statutes, is amended
2135 to read:

2136 373.5905 Reinstatement of payments in lieu of taxes;
2137 duration.—If a water management district has made a payment in
2138 lieu of taxes to a governmental entity and subsequently
2139 suspended such payment, ~~beginning July 1, 2009,~~ the water
2140 management district shall reinstate appropriate payments and
2141 continue the payments for as long as the county population
2142 remains below the population threshold pursuant to s.

2143 373.59(2)(a). This section does not authorize or provide for
2144 payments in arrears.

2145 Reviser's note.—Amended to delete obsolete language.

2146 Section 51. Paragraph (t) of subsection (2) of section
2147 380.0651, Florida Statutes, is amended to read:

2148 380.0651 Statewide guidelines, standards, and exemptions.—

2149 (2) STATUTORY EXEMPTIONS.—The following developments are
2150 exempt from s. 380.06:

2151 (t) Any proposed solid mineral mine and any proposed
2152 addition to, expansion of, or change to an existing solid

2153 mineral mine. A mine owner must, however, enter into a binding
2154 agreement with the Department of Transportation to mitigate
2155 impacts to strategic intermodal system facilities. Proposed
2156 changes to any previously approved solid mineral mine
2157 development-of-regional-impact development orders having vested
2158 rights are not subject to further review or approval as a
2159 development-of-regional-impact or notice-of-proposed-change
2160 review or approval pursuant to s. 380.06(7) ~~subsection (19)~~,
2161 except for those applications pending as of July 1, 2011, which
2162 are governed by s. 380.115(2). Notwithstanding this requirement,
2163 pursuant to s. 380.115(1), a previously approved solid mineral
2164 mine development-of-regional-impact development order continues
2165 to have vested rights and continues to be effective unless
2166 rescinded by the developer. All local government regulations of
2167 proposed solid mineral mines are applicable to any new solid
2168 mineral mine or to any proposed addition to, expansion of, or
2169 change to an existing solid mineral mine.

2170

2171 If a use is exempt from review pursuant to paragraphs (a)-(u),
2172 but will be part of a larger project that is subject to review
2173 pursuant to s. 380.06(12), the impact of the exempt use must be
2174 included in the review of the larger project, unless such exempt
2175 use involves a development that includes a landowner, tenant, or
2176 user that has entered into a funding agreement with the state
2177 land planning agency under the Innovation Incentive Program and

2178 | the agreement contemplates a state award of at least \$50
 2179 | million.
 2180 | Reviser's note.—Amended to correct an erroneous reference.
 2181 | Section 380.0651 does not contain a subsection (19).
 2182 | Chapter 2018-158, Laws of Florida, extensively amended s.
 2183 | 380.0651, as well as s. 380.06; portions of s. 380.06 were
 2184 | excised from that section and included in the amendment to
 2185 | s. 380.0651. Former s. 380.06(19), which related to
 2186 | substantial deviations of previous approved developments,
 2187 | became s. 380.06(7), relating to changes to proposed
 2188 | changes to a previously approved development.
 2189 | Section 52. Paragraph (a) of subsection (2) of section
 2190 | 381.0072, Florida Statutes, is amended to read:
 2191 | 381.0072 Food service protection.—
 2192 | (2) DEFINITIONS.—As used in this section, the term:
 2193 | (a) "Culinary education program" means a program that:
 2194 | 1. Educates enrolled students in the culinary arts,
 2195 | including the preparation, cooking, and presentation of food, or
 2196 | provides education and experience in culinary arts-related
 2197 | businesses;
 2198 | 2. Is provided by:
 2199 | a. A state university as defined in s. 1000.21;
 2200 | b. A Florida College System institution as defined in s.
 2201 | 1000.21;
 2202 | c. A career center as defined in s. 1001.44;

2203 d. A charter technical career center as defined in s.
 2204 1002.34;

2205 e. A nonprofit independent college or university that is
 2206 located and chartered in this state and accredited by the
 2207 Commission on Colleges of the Southern Association of Colleges
 2208 and Schools to grant baccalaureate degrees, that is under the
 2209 jurisdiction of the Department of Education, and that is
 2210 eligible to participate in the William L. Boyd, IV, Effective
 2211 Access to Student Education ~~Florida Resident Access~~ Grant
 2212 Program; or

2213 f. A nonpublic postsecondary educational institution
 2214 licensed pursuant to part III of chapter 1005; and

2215 3. Is inspected by any state agency or agencies for
 2216 compliance with sanitation standards.

2217 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
 2218 Florida, which directed the Division of Law Revision and
 2219 Information "to substitute the term 'Effective Access to
 2220 Student Education Grant Program' for 'Florida Resident
 2221 Access Grant Program' and the term 'Effective Access to
 2222 Student Education grant' for 'Florida resident access
 2223 grant' wherever those terms appear in the Florida
 2224 Statutes."

2225 Section 53. Subsection (2) of section 381.984, Florida
 2226 Statutes, is amended to read:

2227 381.984 Educational programs.—

2228 (2) PUBLIC INFORMATION INITIATIVE.—The Governor, in
 2229 conjunction with the State Surgeon General or ~~and~~ his or her
 2230 designee, shall sponsor a series of public service announcements
 2231 on radio, on television, on the Internet, or in print media
 2232 about the nature of lead-based-paint hazards, the importance of
 2233 standards for lead poisoning prevention in properties, and the
 2234 purposes and responsibilities set forth in this act. In
 2235 developing and coordinating this public information initiative,
 2236 the sponsors shall seek the participation and involvement of
 2237 private industry organizations, including those involved in real
 2238 estate, insurance, mortgage banking, or pediatrics.

2239 Reviser's note.—Amended to conform to context.

2240 Section 54. Paragraph (c) of subsection (3) and subsection
 2241 (5) of section 383.3362, Florida Statutes, are amended to read:

2242 383.3362 Sudden Unexpected Infant Death.—

2243 (3) TRAINING.—

2244 (c) The Department of Health, in consultation with the
 2245 Emergency Medical Services Advisory Council, the Firefighters
 2246 Employment, Standards, and Training Council, the Child
 2247 Protection Teams ~~child protection teams~~ established in the
 2248 Division of Children's Medical Services, and the Criminal
 2249 Justice Standards and Training Commission, shall adopt and
 2250 modify when necessary, by rule, curriculum that is ~~a~~ part of
 2251 the Centers for Disease Control SUID Initiative which must be
 2252 followed by law enforcement agencies in investigating cases

2253 involving sudden deaths of infants, and training in responding
 2254 appropriately to the parents or caretakers who have requested
 2255 assistance.

2256 (5) DEPARTMENT DUTIES RELATING TO SUDDEN UNEXPECTED INFANT
 2257 DEATH (SUID).—The Department of Health, in consultation with the
 2258 Child Protection Teams ~~child protection teams~~ established in the
 2259 Division of Children's Medical Services, shall:

2260 (a) Collaborate with other agencies in the development and
 2261 presentation of the SUID training programs for first responders,
 2262 including those for emergency medical technicians and
 2263 paramedics, firefighters, and law enforcement officers.

2264 (b) Maintain a database of statistics on reported SUID
 2265 deaths and analyze the data as funds allow.

2266 (c) Serve as liaison and closely coordinate activities
 2267 with the Florida SIDS Alliance.

2268 (d) Maintain a library reference list and materials about
 2269 SUID for public dissemination.

2270 (e) Provide professional support to field staff.

2271 (f) Coordinate the activities of and promote a link
 2272 between the fetal and infant mortality review committees of the
 2273 local healthy start coalitions, the Florida SIDS Alliance, and
 2274 other related support groups.

2275 Reviser's note.—Paragraph (3)(c) is amended to improve clarity.

2276 Paragraph (3)(c) and subsection (5) are amended to conform
 2277 to s. 32, ch. 2018-103, Laws of Florida, which directed the

2278 | Division of Law Revision and Information to prepare a
 2279 | reviser's bill "to capitalize each word of the term 'child
 2280 | protection team' wherever it occurs in the Florida
 2281 | Statutes."

2282 | Section 55. Paragraph (a) of subsection (2) and paragraph
 2283 | (a) of subsection (3) of section 383.402, Florida Statutes, are
 2284 | amended to read:

2285 | 383.402 Child abuse death review; State Child Abuse Death
 2286 | Review Committee; local child abuse death review committees.—

2287 | (2) STATE CHILD ABUSE DEATH REVIEW COMMITTEE.—

2288 | (a) *Membership*.—

2289 | 1. The State Child Abuse Death Review Committee is
 2290 | established within the Department of Health and shall consist of
 2291 | a representative of the Department of Health, appointed by the
 2292 | State Surgeon General, who shall serve as the state committee
 2293 | coordinator. The head of each of the following agencies or
 2294 | organizations shall also appoint a representative to the state
 2295 | committee:

- 2296 | a. The Department of Legal Affairs.
- 2297 | b. The Department of Children and Families.
- 2298 | c. The Department of Law Enforcement.
- 2299 | d. The Department of Education.
- 2300 | e. The Florida Prosecuting Attorneys Association, Inc.
- 2301 | f. The Florida Medical Examiners Commission, whose
 2302 | representative must be a forensic pathologist.

2303 2. In addition, the State Surgeon General shall appoint
 2304 the following members to the state committee, based on
 2305 recommendations from the Department of Health and the agencies
 2306 listed in subparagraph 1., and ensuring that the committee
 2307 represents the regional, gender, and ethnic diversity of the
 2308 state to the greatest extent possible:

2309 a. The Department of Health Statewide Child Protection
 2310 Team Medical Director.

2311 b. A public health nurse.

2312 c. A mental health professional who treats children or
 2313 adolescents.

2314 d. An employee of the Department of Children and Families
 2315 who supervises family services counselors and who has at least 5
 2316 years of experience in child protective investigations.

2317 e. The medical director of a Child Protection Team ~~child~~
 2318 ~~protection team~~.

2319 f. A member of a child advocacy organization.

2320 g. A social worker who has experience in working with
 2321 victims and perpetrators of child abuse.

2322 h. A person trained as a paraprofessional in patient
 2323 resources who is employed in a child abuse prevention program.

2324 i. A law enforcement officer who has at least 5 years of
 2325 experience in children's issues.

2326 j. A representative of the Florida Coalition Against
 2327 Domestic Violence.

2328 k. A representative from a private provider of programs on
2329 preventing child abuse and neglect.

2330 1. A substance abuse treatment professional.

2331 3. The members of the state committee shall be appointed
2332 to staggered terms not to exceed 2 years each, as determined by
2333 the State Surgeon General. Members may be appointed to no more
2334 than three consecutive terms. The state committee shall elect a
2335 chairperson from among its members to serve for a 2-year term,
2336 and the chairperson may appoint ad hoc committees as necessary
2337 to carry out the duties of the committee.

2338 4. Members of the state committee shall serve without
2339 compensation but may receive reimbursement for per diem and
2340 travel expenses incurred in the performance of their duties as
2341 provided in s. 112.061 and to the extent that funds are
2342 available.

2343 (3) LOCAL CHILD ABUSE DEATH REVIEW COMMITTEES.—At the
2344 direction of the State Surgeon General, a county or multicounty
2345 child abuse death review committee shall be convened and
2346 supported by the county health department directors in
2347 accordance with the protocols established by the State Child
2348 Abuse Death Review Committee.

2349 (a) *Membership.*—The local death review committees shall
2350 include, at a minimum, the following organizations'
2351 representatives, appointed by the county health department
2352 directors in consultation with those organizations:

- 2353 1. The state attorney's office.
- 2354 2. The medical examiner's office.
- 2355 3. The local Department of Children and Families child
- 2356 protective investigations unit.
- 2357 4. The Department of Health Child Protection Team ~~child~~
- 2358 ~~protection team~~.
- 2359 5. The community-based care lead agency.
- 2360 6. State, county, or local law enforcement agencies.
- 2361 7. The school district.
- 2362 8. A mental health treatment provider.
- 2363 9. A certified domestic violence center.
- 2364 10. A substance abuse treatment provider.
- 2365 11. Any other members that are determined by guidelines
- 2366 developed by the State Child Abuse Death Review Committee.
- 2367
- 2368 To the extent possible, individuals from these organizations or
- 2369 entities who, in a professional capacity, dealt with a child
- 2370 whose death is verified as caused by abuse or neglect, or with
- 2371 the family of the child, shall attend any meetings where the
- 2372 child's case is reviewed. The members of a local committee shall
- 2373 be appointed to 2-year terms and may be reappointed. Members
- 2374 shall serve without compensation but may receive reimbursement
- 2375 for per diem and travel expenses incurred in the performance of
- 2376 their duties as provided in s. 112.061 and to the extent that
- 2377 funds are available.

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2378 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
 2379 of Florida, which directed the Division of Law Revision and
 2380 Information to prepare a reviser's bill "to capitalize each
 2381 word of the term 'child protection team' wherever it occurs
 2382 in the Florida Statutes."

2383 Section 56. Subsection (2) of section 388.021, Florida
 2384 Statutes, is amended to read:

2385 388.021 Creation of mosquito control districts.—

2386 (2) It is the legislative intent that those mosquito
 2387 control districts established prior to July 1, 1980, pursuant to
 2388 the petition process ~~formerly~~ contained in former s. 388.031,
 2389 may continue to operate as outlined in this chapter. However, on
 2390 and after that date, no mosquito control districts may be
 2391 created except pursuant to s. 125.01.

2392 Reviser's note.—Amended to conform to the fact that s. 388.031
 2393 was repealed by s. 12, ch. 80-281, Laws of Florida.

2394 Section 57. Subsection (2) of section 391.026, Florida
 2395 Statutes, is amended to read:

2396 391.026 Powers and duties of the department.—The
 2397 department shall have the following powers, duties, and
 2398 responsibilities:

2399 (2) To provide services to abused and neglected children
 2400 through Child Protection Teams ~~child protection teams~~ pursuant
 2401 to s. 39.303.

2402 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws

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2403 of Florida, which directed the Division of Law Revision and
 2404 Information to prepare a reviser's bill "to capitalize each
 2405 word of the term 'child protection team' wherever it occurs
 2406 in the Florida Statutes."

2407 Section 58. Subsection (40) of section 393.063, Florida
 2408 Statutes, is amended to read:

2409 393.063 Definitions.—For the purposes of this chapter, the
 2410 term:

2411 (40) "Spina bifida" means ~~a person with~~ a medical
 2412 diagnosis of spina bifida cystica or myelomeningocele.
 2413 Reviser's note.—Amended to improve clarity.

2414 Section 59. Subsection (2) of section 395.1023, Florida
 2415 Statutes, is amended to read:

2416 395.1023 Child abuse and neglect cases; duties.—Each
 2417 licensed facility shall adopt a protocol that, at a minimum,
 2418 requires the facility to:

2419 (2) In any case involving suspected child abuse,
 2420 abandonment, or neglect, designate, at the request of the
 2421 department, a staff physician to act as a liaison between the
 2422 hospital and the Department of Children and Families office
 2423 which is investigating the suspected abuse, abandonment, or
 2424 neglect, and the Child Protection Team ~~child protection team~~, as
 2425 defined in s. 39.01, when the case is referred to such a team.

2426
 2427 Each general hospital and appropriate specialty hospital shall

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2428 | comply with the provisions of this section and shall notify the
2429 | agency and the department of its compliance by sending a copy of
2430 | its policy to the agency and the department as required by rule.
2431 | The failure by a general hospital or appropriate specialty
2432 | hospital to comply shall be punished by a fine not exceeding
2433 | \$1,000, to be fixed, imposed, and collected by the agency. Each
2434 | day in violation is considered a separate offense.

2435 | Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
2436 | of Florida, which directed the Division of Law Revision and
2437 | Information to prepare a reviser's bill "to capitalize each
2438 | word of the term 'child protection team' wherever it occurs
2439 | in the Florida Statutes."

2440 | Section 60. Paragraph (h) of subsection (1) of section
2441 | 395.1055, Florida Statutes, is amended to read:

2442 | 395.1055 Rules and enforcement.—

2443 | (1) The agency shall adopt rules pursuant to ss.
2444 | 120.536(1) and 120.54 to implement the provisions of this part,
2445 | which shall include reasonable and fair minimum standards for
2446 | ensuring that:

2447 | (h) Licensed facilities make available on their Internet
2448 | websites, ~~no later than October 1, 2004,~~ and in a hard copy
2449 | format upon request, a description of and a link to the patient
2450 | charge and performance outcome data collected from licensed
2451 | facilities pursuant to s. 408.061.

2452 | Reviser's note.—Amended to delete obsolete language.

2453 Section 61. Paragraph (c) of subsection (3) of section
 2454 395.4025, Florida Statutes, is amended to read:

2455 395.4025 Trauma centers; selection; quality assurance;
 2456 records.—

2457 (3)

2458 (c) In order to be considered by the department,
 2459 applications from those hospitals seeking selection as trauma
 2460 centers, including those current verified trauma centers that
 2461 seek a change or redesignation in approval status as a trauma
 2462 center, must be received by the department no later than the
 2463 close of business on April 1 of the year following submission of
 2464 the letter of intent. The department shall conduct an initial
 2465 review of each application for the purpose of determining
 2466 whether the hospital's application is complete and ~~that~~ the
 2467 hospital is capable of constructing and operating a trauma
 2468 center that includes the critical elements required for a trauma
 2469 center. This critical review must be based on trauma center
 2470 standards and must include, but need not be limited to, a review
 2471 as to whether the hospital is prepared to attain and operate
 2472 with all of the following components before April 30 of the
 2473 following year:

2474 1. Equipment and physical facilities necessary to provide
 2475 trauma services.

2476 2. Personnel in sufficient numbers and with proper
 2477 qualifications to provide trauma services.

2478 3. An effective quality assurance process.
 2479 Reviser's note.—Amended to confirm the editorial deletion of the
 2480 word "that" to improve clarity.
 2481 Section 62. Subsection (1) of section 397.6760, Florida
 2482 Statutes, is amended to read:
 2483 397.6760 Court records; confidentiality.—
 2484 (1) All petitions for involuntary assessment and
 2485 stabilization, court orders, and related records that are filed
 2486 with or by a court under this part are confidential and exempt
 2487 from s. 119.07(1) ~~119.071(1)~~ and s. 24(a), Art. I of the State
 2488 Constitution. Pleadings and other documents made confidential
 2489 and exempt by this section may be disclosed by the clerk of the
 2490 court, upon request, to any of the following:
 2491 (a) The petitioner.
 2492 (b) The petitioner's attorney.
 2493 (c) The respondent.
 2494 (d) The respondent's attorney.
 2495 (e) The respondent's guardian or guardian advocate, if
 2496 applicable.
 2497 (f) In the case of a minor respondent, the respondent's
 2498 parent, guardian, legal custodian, or guardian advocate.
 2499 (g) The respondent's treating health care practitioner.
 2500 (h) The respondent's health care surrogate or proxy.
 2501 (i) The Department of Children and Families, without
 2502 charge.

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2503 (j) The Department of Corrections, without charge, if the
2504 respondent is committed or is to be returned to the custody of
2505 the Department of Corrections from the Department of Children
2506 and Families.

2507 (k) A person or entity authorized to view records upon a
2508 court order for good cause. In determining if there is good
2509 cause for the disclosure of records, the court must weigh the
2510 person or entity's need for the information against potential
2511 harm to the respondent from the disclosure.

2512 Reviser's note.—Amended to correct an apparent error. Section
2513 119.07(1) requires that persons in custody of public
2514 records shall permit inspection and copying of such
2515 records. Section 119.071(1) relates to exemptions from
2516 inspection or copying of public records relating to agency
2517 administration.

2518 Section 63. Paragraph (c) of subsection (3) of section
2519 400.235, Florida Statutes, is amended to read:

2520 400.235 Nursing home quality and licensure status; Gold
2521 Seal Program.—

2522 (3)

2523 (c) Recommendations to the panel for designation of a
2524 nursing facility as a Gold Seal facility may be received by the
2525 panel ~~after January 1, 2000~~. The activities of the panel shall
2526 be supported by staff of the Department of Elderly Affairs and
2527 the Agency for Health Care Administration.

2528 Reviser's note.—Amended to delete obsolete language.

2529 Section 64. Paragraph (g) of subsection (2) of section
2530 400.471, Florida Statutes, is amended to read:

2531 400.471 Application for license; fee.—

2532 (2) In addition to the requirements of part II of chapter
2533 408, the initial applicant, the applicant for a change of
2534 ownership, and the applicant for the addition of skilled care
2535 services must file with the application satisfactory proof that
2536 the home health agency is in compliance with this part and
2537 applicable rules, including:

2538 (g) In the case of an application for initial licensure,
2539 an application for a change of ownership, or an application for
2540 the addition of skilled care services, documentation of
2541 accreditation, or an application for accreditation, from an
2542 accrediting organization that is recognized by the agency as
2543 having standards comparable to those required by this part and
2544 part II of chapter 408. A home health agency that does not
2545 provide skilled care is exempt from this paragraph.

2546 Notwithstanding s. 408.806, an initial applicant must provide
2547 proof of accreditation that is not conditional or provisional
2548 and a survey demonstrating compliance with the requirements of
2549 this part, part II of chapter 408, and applicable rules from an
2550 accrediting organization that is recognized by the agency as
2551 having standards comparable to those required by this part and
2552 part II of chapter 408 within 120 days after the date of the

2553 agency's receipt of the application for licensure. Such
 2554 accreditation must be continuously maintained by the home health
 2555 agency to maintain licensure. The agency shall accept, in lieu
 2556 of its own periodic licensure survey, the submission of the
 2557 survey of an accrediting organization that is recognized by the
 2558 agency if the accreditation of the licensed home health agency
 2559 is not provisional and if the licensed home health agency
 2560 authorizes release ~~releases~~ of, and the agency receives the
 2561 report of, the accrediting organization.

2562 Reviser's note.—Amended to improve clarity.

2563 Section 65. Paragraph (h) of subsection (1) of section
 2564 400.4785, Florida Statutes, is amended to read:

2565 400.4785 Patients with Alzheimer's disease or other
 2566 related disorders; staff training requirements; certain
 2567 disclosures.—

2568 (1) A home health agency must provide the following staff
 2569 training:

2570 ~~(h) An employee who is hired on or after July 1, 2005,~~
 2571 ~~must complete the training required by this section.~~

2572 Reviser's note.—Amended to delete obsolete language. The
 2573 remaining portion of subsection (1) specifies training
 2574 completion requirements for home health agency staff.

2575 Section 66. Subsection (2) of section 400.991, Florida
 2576 Statutes, is amended to read:

2577 400.991 License requirements; background screenings;

2578 prohibitions.—

2579 ~~(2) The initial clinic license application shall be filed~~
 2580 ~~with the agency by all clinics, as defined in s. 400.9905, on or~~
 2581 ~~before July 1, 2004.~~

2582 Reviser's note.—Amended to delete obsolete language.

2583 Section 67. Section 401.024, Florida Statutes, is amended
 2584 to read:

2585 401.024 System approval. ~~From July 1, 1973,~~ No emergency
 2586 medical telecommunications system shall be established or
 2587 present systems expanded without prior approval of the
 2588 Department of Management Services.

2589 Reviser's note.—Amended to delete obsolete language.

2590 Section 68. Paragraph (g) of subsection (2) and subsection
 2591 (3) of section 402.305, Florida Statutes, are amended to read:

2592 402.305 Licensing standards; child care facilities.—

2593 (2) PERSONNEL.—Minimum standards for child care personnel
 2594 shall include minimum requirements as to:

2595 (g) ~~By January 1, 2000,~~ A credential for child care
 2596 facility directors. ~~By January 1, 2004,~~ The credential shall be
 2597 a required minimum standard for licensing.

2598 (3) MINIMUM STAFF CREDENTIALS. ~~By July 1, 1996,~~ For every
 2599 20 children in a licensed child care facility, if the facility
 2600 operates 8 hours or more per week, one of the child care
 2601 personnel in the facility must have:

2602 (a) A child development associate credential;

2603 (b) A child care professional credential, unless the
 2604 department determines that such child care professional
 2605 credential is not equivalent to or greater than a child
 2606 development associate credential; or

2607 (c) A credential that is equivalent to or greater than the
 2608 credential required in paragraph (a) or paragraph (b).

2609
 2610 The department shall establish by rule those hours of operation,
 2611 such as during rest periods and transitional periods, when this
 2612 subsection does not apply.

2613 Reviser's note.—Amended to delete obsolete language.

2614 Section 69. Paragraph (c) of subsection (1) of section
 2615 402.310, Florida Statutes, is amended to read:

2616 402.310 Disciplinary actions; hearings upon denial,
 2617 suspension, or revocation of license or registration;
 2618 administrative fines.—

2619 (1)

2620 (c) The department shall adopt rules to:

2621 1. Establish the grounds under which the department may
 2622 deny, suspend, or revoke a license or registration or place a
 2623 licensee or registrant on probation status for violations of ss.
 2624 402.301-402.319.

2625 2. Establish a uniform system of procedures to impose
 2626 disciplinary sanctions for violations of ss. 402.301-402.319.

2627 The uniform system of procedures must provide for the consistent

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2628 application of disciplinary actions across districts and a
2629 progressively increasing level of penalties from predisciplinary
2630 actions, such as efforts to assist licensees or registrants to
2631 correct the statutory or regulatory violations, and to severe
2632 disciplinary sanctions for actions that jeopardize the health
2633 and safety of children, such as for the deliberate misuse of
2634 medications. ~~The department shall implement this subparagraph on~~
2635 ~~January 1, 2007, and the implementation is not contingent upon a~~
2636 ~~specific appropriation.~~

2637 Reviser's note.—Amended to delete obsolete language.

2638 Section 70. Paragraph (b) of subsection (5) of section
2639 402.56, Florida Statutes, is amended to read:

2640 402.56 Children's cabinet; organization; responsibilities;
2641 annual report.—

2642 (5) DUTIES AND RESPONSIBILITIES.—The Children and Youth
2643 Cabinet shall:

2644 (b) ~~Develop, no later than December 31, 2007,~~ a strategic
2645 plan to achieve the goals of the shared and cohesive vision. The
2646 plan shall be centered upon a long-term commitment to children
2647 and youth issues and align all public resources to serve
2648 children and youth and their families in a manner that supports
2649 the healthy growth and development of children. The plan shall
2650 prepare the children and youth to be responsible citizens and
2651 productive members of the workforce. The plan shall include a
2652 continuum of services that will benefit children from prenatal

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2653 care through services for youth in transition to adulthood.
2654 Reviser's note.—Amended to delete obsolete language.

2655 Section 71. Subsection (8) of section 403.861, Florida
2656 Statutes, is amended to read:

2657 403.861 Department; powers and duties.—The department
2658 shall have the power and the duty to carry out the provisions
2659 and purposes of this act and, for this purpose, to:

2660 (8) Initiate rulemaking ~~no later than July 1, 2008,~~ to
2661 increase each drinking water permit application fee authorized
2662 under s. 403.087(6) and this part and adopted by rule to ensure
2663 that such fees are increased to reflect, at a minimum, any
2664 upward adjustment in the Consumer Price Index compiled by the
2665 United States Department of Labor, or similar inflation
2666 indicator, since the original fee was established or most
2667 recently revised.

2668 (a) The department shall establish by rule the inflation
2669 index to be used for this purpose. The department shall review
2670 the drinking water permit application fees authorized under s.
2671 403.087(6) and this part at least once every 5 years and shall
2672 adjust the fees upward, as necessary, within the established fee
2673 caps to reflect changes in the Consumer Price Index or similar
2674 inflation indicator. In the event of deflation, the department
2675 shall consult with the Executive Office of the Governor and the
2676 Legislature to determine whether downward fee adjustments are
2677 appropriate based on the current budget and appropriation

2678 considerations. The department shall also review the drinking
2679 water operation license fees established pursuant to paragraph
2680 (7) (b) at least once every 5 years to adopt, as necessary, the
2681 same inflationary adjustments provided for in this subsection.

2682 (b) ~~Effective July 1, 2008,~~ The minimum fee amount shall
2683 be the minimum fee prescribed in this section, and such fee
2684 amount shall remain in effect until the effective date of fees
2685 adopted by rule by the department.

2686 Reviser's note.—Amended to delete obsolete language.

2687 Section 72. Paragraph (e) of subsection (3) of section
2688 408.036, Florida Statutes, is amended to read:

2689 408.036 Projects subject to review; exemptions.—

2690 (3) EXEMPTIONS.—Upon request, the following projects are
2691 subject to exemption from the provisions of subsection (1):

2692 (e) For the addition of nursing home beds licensed under
2693 chapter 400 in a number not exceeding 30 total beds or 25
2694 percent of the number of beds licensed in the facility being
2695 replaced under paragraph (2) (b), paragraph (2) (c), or paragraph
2696 (m) ~~(p)~~, whichever is less.

2697 Reviser's note.—Amended to confirm the editorial substitution of
2698 a reference to paragraph (m) for a reference to paragraph
2699 (p) to conform to the redesignation of paragraphs by s. 61,
2700 ch. 2018-24, Laws of Florida. Paragraph (m) relates to
2701 replacement nursing home beds; paragraph (p) relates to
2702 beds in state developmental disabilities centers.

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2703 Section 73. Subsection (25) of section 408.802, Florida
2704 Statutes, is amended to read:

2705 408.802 Applicability.—The provisions of this part apply
2706 to the provision of services that require licensure as defined
2707 in this part and to the following entities licensed, registered,
2708 or certified by the agency, as described in chapters 112, 383,
2709 390, 394, 395, 400, 429, 440, 483, and 765:

2710 (25) Multiphasic health testing centers, as provided under
2711 part I ~~II~~ of chapter 483.

2712 Reviser's note.—Amended to conform to the redesignation of part
2713 II of chapter 483 as part I pursuant to the repeal of
2714 former part I of that chapter by s. 97, ch. 2018-24, Laws
2715 of Florida.

2716 Section 74. Subsection (24) of section 408.820, Florida
2717 Statutes, is amended to read:

2718 408.820 Exemptions.—Except as prescribed in authorizing
2719 statutes, the following exemptions shall apply to specified
2720 requirements of this part:

2721 (24) Multiphasic health testing centers, as provided under
2722 part I ~~II~~ of chapter 483, are exempt from s. 408.810(5)-(10).

2723 Reviser's note.—Amended to conform to the redesignation of part
2724 II of chapter 483 as part I pursuant to the repeal of
2725 former part I of that chapter by s. 97, ch. 2018-24, Laws
2726 of Florida.

2727 Section 75. Paragraph (d) of subsection (2) and paragraph

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2728 (f) of subsection (3) of section 409.017, Florida Statutes, are
 2729 amended to read:

2730 409.017 Revenue Maximization Act; legislative intent;
 2731 revenue maximization program.—

2732 (2) LEGISLATIVE INTENT.—

2733 (d) Except for funds expended pursuant to Title XIX of the
 2734 Social Security Act, it is the intent of the Legislature that
 2735 certified local funding for federal matching programs not
 2736 supplant or replace state funds. ~~Beginning July 1, 2004,~~ Any
 2737 state funds supplanted or replaced with local tax revenues for
 2738 Title XIX funds shall be expressly approved in the General
 2739 Appropriations Act or by the Legislative Budget Commission
 2740 pursuant to chapter 216.

2741 (3) REVENUE MAXIMIZATION PROGRAM.—

2742 (f) Each agency, as applicable, shall work with local
 2743 political subdivisions to modify any state plans and to seek and
 2744 implement any federal waivers necessary to implement this
 2745 section. If such modifications or waivers require the approval
 2746 of the Legislature, the agency, as applicable, shall draft such
 2747 legislation and present it to the President of the Senate and
 2748 the Speaker of the House of Representatives and to the
 2749 respective committee chairs of the Senate and the House of
 2750 Representatives by January 1, ~~2004,~~ ~~and,~~ as applicable, annually
 2751 thereafter.

2752 Reviser's note.—Amended to delete obsolete language.

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2753 Section 76. Paragraph (c) of subsection (4) of section
2754 409.145, Florida Statutes, is amended to read:

2755 409.145 Care of children; quality parenting; "reasonable
2756 and prudent parent" standard.—The child welfare system of the
2757 department shall operate as a coordinated community-based system
2758 of care which empowers all caregivers for children in foster
2759 care to provide quality parenting, including approving or
2760 disapproving a child's participation in activities based on the
2761 caregiver's assessment using the "reasonable and prudent parent"
2762 standard.

2763 (4) FOSTER CARE ROOM AND BOARD RATES.—

2764 (c) Effective July 1, 2019, foster parents of level I
2765 family foster homes, as defined in ~~under~~ s. 409.175(5)(a) shall
2766 receive a room and board rate of \$333.

2767 Reviser's note.—Amended to confirm the editorial deletion of the
2768 word "under" to improve clarity.

2769 Section 77. Paragraphs (g), (q), and (w) of subsection (2)
2770 of section 409.815, Florida Statutes, are amended to read:

2771 409.815 Health benefits coverage; limitations.—

2772 (2) BENCHMARK BENEFITS.—In order for health benefits
2773 coverage to qualify for premium assistance payments for an
2774 eligible child under ss. 409.810-409.821, the health benefits
2775 coverage, except for coverage under Medicaid and Medikids, must
2776 include the following minimum benefits, as medically necessary.

2777 (g) *Behavioral health services.*—

2778 1. Mental health benefits include:

2779 a. Inpatient services, limited to 30 inpatient days per

2780 contract year for psychiatric admissions, or residential

2781 services in facilities licensed under s. 394.875(6) or s.

2782 395.003 in lieu of inpatient psychiatric admissions; however, a

2783 minimum of 10 of the 30 days shall be available only for

2784 inpatient psychiatric services if authorized by a physician; and

2785 b. Outpatient services, including outpatient visits for

2786 psychological or psychiatric evaluation, diagnosis, and

2787 treatment by a licensed mental health professional, limited to

2788 40 outpatient visits each contract year.

2789 2. Substance abuse services include:

2790 a. Inpatient services, limited to 7 inpatient days per

2791 contract year for medical detoxification only and 30 days of

2792 residential services; and

2793 b. Outpatient services, including evaluation, diagnosis,

2794 and treatment by a licensed practitioner, limited to 40

2795 outpatient visits per contract year.

2796

2797 ~~Effective October 1, 2009,~~ Covered services include inpatient

2798 and outpatient services for mental and nervous disorders as

2799 defined in the most recent edition of the Diagnostic and

2800 Statistical Manual of Mental Disorders published by the American

2801 Psychiatric Association. Such benefits include psychological or

2802 psychiatric evaluation, diagnosis, and treatment by a licensed

2803 mental health professional and inpatient, outpatient, and
2804 residential treatment of substance abuse disorders. Any benefit
2805 limitations, including duration of services, number of visits,
2806 or number of days for hospitalization or residential services,
2807 shall not be any less favorable than those for physical
2808 illnesses generally. The program may also implement appropriate
2809 financial incentives, peer review, utilization requirements, and
2810 other methods used for the management of benefits provided for
2811 other medical conditions in order to reduce service costs and
2812 utilization without compromising quality of care.

2813 (q) *Dental services.* ~~Effective October 1, 2009,~~ Dental
2814 services shall be covered as required under federal law and may
2815 also include those dental benefits provided to children by the
2816 Florida Medicaid program under s. 409.906(6).

2817 (w) *Reimbursement of federally qualified health centers*
2818 *and rural health clinics.* ~~Effective October 1, 2009,~~ Payments
2819 for services provided to enrollees by federally qualified health
2820 centers and rural health clinics under this section shall be
2821 reimbursed using the Medicaid Prospective Payment System as
2822 provided for under s. 2107(e)(1)(D) of the Social Security Act.
2823 If such services are paid for by health insurers or health care
2824 providers under contract with the Florida Healthy Kids
2825 Corporation, such entities are responsible for this payment. The
2826 agency may seek any available federal grants to assist with this
2827 transition.

2828 Reviser's note.—Amended to delete obsolete language.

2829 Section 78. Subsection (2) of section 409.9083, Florida
 2830 Statutes, is amended to read:

2831 409.9083 Quality assessment on privately operated
 2832 intermediate care facilities for the developmentally disabled;
 2833 exemptions; purpose; federal approval required; remedies.—

2834 (2) ~~Effective October 1, 2009,~~ There is imposed upon each
 2835 intermediate care facility for the developmentally disabled a
 2836 quality assessment. The aggregated amount of assessments for all
 2837 ICF/DDs in a given year shall be an amount not exceeding the
 2838 maximum percentage allowed under federal law of the total
 2839 aggregate net patient service revenue of assessed facilities.
 2840 The agency shall calculate the quality assessment rate annually
 2841 on a per-resident-day basis as reported by the facilities. The
 2842 per-resident-day assessment rate shall be uniform. Each facility
 2843 shall report monthly to the agency its total number of resident
 2844 days and shall remit an amount equal to the assessment rate
 2845 times the reported number of days. The agency shall collect, and
 2846 each facility shall pay, the quality assessment each month. The
 2847 agency shall collect the assessment from facility providers no
 2848 later than the 15th of the next succeeding calendar month. The
 2849 agency shall notify providers of the quality assessment rate and
 2850 provide a standardized form to complete and submit with
 2851 payments. The collection of the quality assessment shall
 2852 commence no sooner than 15 days after the agency's initial

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2853 payment to the facilities that implement the increased Medicaid
2854 rates containing the elements prescribed in subsection (3) and
2855 monthly thereafter. Intermediate care facilities for the
2856 developmentally disabled may increase their rates to incorporate
2857 the assessment but may not create a separate line-item charge
2858 for the purpose of passing through the assessment to residents.
2859 Reviser's note.—Amended to delete obsolete language.

2860 Section 79. Paragraph (b) of subsection (1) and paragraph
2861 (c) of subsection (2) of section 440.45, Florida Statutes, are
2862 amended to read:

2863 440.45 Office of the Judges of Compensation Claims.—

2864 (1)

2865 (b) ~~Effective October 1, 2001,~~ The position of Deputy
2866 Chief Judge of Compensation Claims is created.

2867 (2)

2868 (c) Each judge of compensation claims shall be appointed
2869 for a term of 4 years, but during the term of office may be
2870 removed by the Governor for cause. Prior to the expiration of a
2871 judge's term of office, the statewide nominating commission
2872 shall review the judge's conduct and determine whether the
2873 judge's performance is satisfactory. ~~Effective July 1, 2002,~~ In
2874 determining whether a judge's performance is satisfactory, the
2875 commission shall consider the extent to which the judge has met
2876 the requirements of this chapter, including, but not limited to,
2877 the requirements of ss. 440.25(1) and (4)(a)-(e), 440.34(2), and

2878 440.442. If the judge's performance is deemed satisfactory, the
 2879 commission shall report its finding to the Governor no later
 2880 than 6 months prior to the expiration of the judge's term of
 2881 office. The Governor shall review the commission's report and
 2882 may reappoint the judge for an additional 4-year term. If the
 2883 Governor does not reappoint the judge, the Governor shall inform
 2884 the commission. The judge shall remain in office until the
 2885 Governor has appointed a successor judge in accordance with
 2886 paragraphs (a) and (b). If a vacancy occurs during a judge's
 2887 unexpired term, the statewide nominating commission does not
 2888 find the judge's performance is satisfactory, or the Governor
 2889 does not reappoint the judge, the Governor shall appoint a
 2890 successor judge for a term of 4 years in accordance with
 2891 paragraph (b).

2892 Reviser's note.—Amended to delete obsolete language.

2893 Section 80. Section 455.2286, Florida Statutes, is amended
 2894 to read:

2895 455.2286 Automated information system. ~~By November 1,~~
 2896 ~~2001,~~ The department shall implement an automated information
 2897 system for all certificateholders and registrants under part XII
 2898 of chapter 468, chapter 471, chapter 481, or chapter 489. The
 2899 system shall provide instant notification to local building
 2900 departments and other interested parties regarding the status of
 2901 the certification or registration. The provision of such
 2902 information shall consist, at a minimum, of an indication of

2903 whether the certification or registration is active, of any
 2904 current failure to meet the terms of any final action by a
 2905 licensing authority, of any ongoing disciplinary cases that are
 2906 subject to public disclosure, whether there are any outstanding
 2907 fines, and of the reporting of any material violations pursuant
 2908 to s. 553.781. The system shall also retain information
 2909 developed by the department and local governments on individuals
 2910 found to be practicing or contracting without holding the
 2911 applicable license, certification, or registration required by
 2912 law. The system may be Internet-based.

2913 Reviser's note.—Amended to delete obsolete language.

2914 Section 81. Paragraph (c) of subsection (3) of section
 2915 458.348, Florida Statutes, is amended to read:

2916 458.348 Formal supervisory relationships, standing orders,
 2917 and established protocols; notice; standards.—

2918 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—
 2919 A physician who supervises an advanced practice registered nurse
 2920 or physician assistant at a medical office other than the
 2921 physician's primary practice location, where the advanced
 2922 practice registered nurse or physician assistant is not under
 2923 the onsite supervision of a supervising physician, must comply
 2924 with the standards set forth in this subsection. For the purpose
 2925 of this subsection, a physician's "primary practice location"
 2926 means the address reflected on the physician's profile published
 2927 pursuant to s. 456.041.

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2928 (c) A physician who supervises an advanced practice
2929 registered nurse or physician assistant at a medical office
2930 other than the physician's primary practice location, where the
2931 advanced practice registered nurse or physician assistant is not
2932 under the onsite supervision of a supervising physician and the
2933 services offered at the office are primarily dermatologic or
2934 skin care services, which include aesthetic skin care services
2935 other than plastic surgery, must comply with the standards
2936 listed in subparagraphs 1.-4. Notwithstanding s.

2937 458.347(4)(e)6., a physician supervising a physician assistant
2938 pursuant to this paragraph may not be required to review and
2939 cosign charts or medical records prepared by such physician
2940 assistant.

2941 1. The physician shall submit to the board the addresses
2942 of all offices where he or she is supervising an advanced
2943 practice registered nurse or a physician's assistant which are
2944 not the physician's primary practice location.

2945 2. The physician must be board certified or board eligible
2946 in dermatology or plastic surgery as recognized by the board
2947 pursuant to s. 458.3312.

2948 3. All such offices that are not the physician's primary
2949 place of practice must be within 25 miles of the physician's
2950 primary place of practice or in a county that is contiguous to
2951 the county of the physician's primary place of practice.
2952 However, the distance between any of the offices may not exceed

2953 75 miles.

2954 4. The physician may supervise only one office other than
 2955 the physician's primary place of practice ~~except that until July~~
 2956 ~~1, 2011, the physician may supervise up to two medical offices~~
 2957 ~~other than the physician's primary place of practice if the~~
 2958 ~~addresses of the offices are submitted to the board before July~~
 2959 ~~1, 2006. Effective July 1, 2011, the physician may supervise~~
 2960 ~~only one office other than the physician's primary place of~~
 2961 ~~practice, regardless of when the addresses of the offices were~~
 2962 ~~submitted to the board.~~

2963 Reviser's note.—Amended to delete obsolete language.

2964 Section 82. Paragraph (c) of subsection (3) of section
 2965 459.025, Florida Statutes, is amended to read:

2966 459.025 Formal supervisory relationships, standing orders,
 2967 and established protocols; notice; standards.—

2968 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—

2969 An osteopathic physician who supervises an advanced practice
 2970 registered nurse or physician assistant at a medical office
 2971 other than the osteopathic physician's primary practice
 2972 location, where the advanced practice registered nurse or
 2973 physician assistant is not under the onsite supervision of a
 2974 supervising osteopathic physician, must comply with the
 2975 standards set forth in this subsection. For the purpose of this
 2976 subsection, an osteopathic physician's "primary practice
 2977 location" means the address reflected on the physician's profile

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2978 | published pursuant to s. 456.041.

2979 | (c) An osteopathic physician who supervises an advanced
2980 | practice registered nurse or physician assistant at a medical
2981 | office other than the osteopathic physician's primary practice
2982 | location, where the advanced practice registered nurse or
2983 | physician assistant is not under the onsite supervision of a
2984 | supervising osteopathic physician and the services offered at
2985 | the office are primarily dermatologic or skin care services,
2986 | which include aesthetic skin care services other than plastic
2987 | surgery, must comply with the standards listed in subparagraphs
2988 | 1.-4. Notwithstanding s. 459.022(4)(e)6., an osteopathic
2989 | physician supervising a physician assistant pursuant to this
2990 | paragraph may not be required to review and cosign charts or
2991 | medical records prepared by such physician assistant.

2992 | 1. The osteopathic physician shall submit to the Board of
2993 | Osteopathic Medicine the addresses of all offices where he or
2994 | she is supervising or has a protocol with an advanced practice
2995 | registered nurse or a physician assistant which are not the
2996 | osteopathic physician's primary practice location.

2997 | 2. The osteopathic physician must be board certified or
2998 | board eligible in dermatology or plastic surgery as recognized
2999 | by the Board of Osteopathic Medicine pursuant to s. 459.0152.

3000 | 3. All such offices that are not the osteopathic
3001 | physician's primary place of practice must be within 25 miles of
3002 | the osteopathic physician's primary place of practice or in a

3003 county that is contiguous to the county of the osteopathic
 3004 physician's primary place of practice. However, the distance
 3005 between any of the offices may not exceed 75 miles.

3006 4. The osteopathic physician may supervise only one office
 3007 other than the osteopathic physician's primary place of practice
 3008 ~~except that until July 1, 2011, the osteopathic physician may~~
 3009 ~~supervise up to two medical offices other than the osteopathic~~
 3010 ~~physician's primary place of practice if the addresses of the~~
 3011 ~~offices are submitted to the Board of Osteopathic Medicine~~
 3012 ~~before July 1, 2006. Effective July 1, 2011, the osteopathic~~
 3013 ~~physician may supervise only one office other than the~~
 3014 ~~osteopathic physician's primary place of practice, regardless of~~
 3015 ~~when the addresses of the offices were submitted to the Board of~~
 3016 ~~Osteopathic Medicine.~~

3017 Reviser's note.—Amended to delete obsolete language.

3018 Section 83. Subsections (1) and (2) of section 459.026,
 3019 Florida Statutes, are amended to read:

3020 459.026 Reports of adverse incidents in office practice
 3021 settings.—

3022 (1) Any adverse incident that occurs ~~on or after January~~
 3023 ~~1, 2000,~~ in any office maintained by an osteopathic physician
 3024 for the practice of osteopathic medicine which is not licensed
 3025 under chapter 395 must be reported to the department in
 3026 accordance with the provisions of this section.

3027 (2) Any osteopathic physician or other licensee under this

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3028 chapter practicing in this state must notify the department if
3029 the osteopathic physician or licensee was involved in an adverse
3030 incident that occurred ~~on or after January 1, 2000,~~ in any
3031 office maintained by an osteopathic physician for the practice
3032 of osteopathic medicine which is not licensed under chapter 395.
3033 Reviser's note.—Amended to delete obsolete language.

3034 Section 84. Subsection (2) of section 468.432, Florida
3035 Statutes, is amended to read:

3036 468.432 Licensure of community association managers and
3037 community association management firms; exceptions.—

3038 (2) ~~As of January 1, 2009,~~ A community association
3039 management firm or other similar organization responsible for
3040 the management of more than 10 units or a budget of \$100,000 or
3041 greater shall not engage or hold itself out to the public as
3042 being able to engage in the business of community association
3043 management in this state unless it is licensed by the department
3044 as a community association management firm in accordance with
3045 the provisions of this part.

3046 (a) A community association management firm or other
3047 similar organization desiring to be licensed as a community
3048 association management firm shall apply to the department on a
3049 form approved by the department, together with the application
3050 and licensure fees required by s. 468.435(1)(a) and (c). Each
3051 community association management firm applying for licensure
3052 under this subsection must be actively registered and authorized

3053 | to do business in this state.

3054 | (b) Each applicant shall designate on its application a
 3055 | licensed community association manager who shall be required to
 3056 | respond to all inquiries from and investigations by the
 3057 | department or division.

3058 | (c) Each licensed community association management firm
 3059 | shall notify the department within 30 days after any change of
 3060 | information contained in the application upon which licensure is
 3061 | based.

3062 | (d) Community association management firm licenses shall
 3063 | expire on September 30 of odd-numbered years and shall be
 3064 | renewed every 2 years. An application for renewal shall be
 3065 | accompanied by the renewal fee as required by s. 468.435(1)(d).

3066 | (e) The department shall license each applicant whom the
 3067 | department certifies as meeting the requirements of this
 3068 | subsection.

3069 | (f) If the license of at least one individual active
 3070 | community association manager member is not in force, the
 3071 | license of the community association management firm or other
 3072 | similar organization is canceled automatically during that time.

3073 | (g) Any community association management firm or other
 3074 | similar organization agrees by being licensed that it will
 3075 | employ only licensed persons in the direct provision of
 3076 | community association management services as described in s.
 3077 | 468.431(3).

3078 Reviser's note.—Amended to delete obsolete language.

3079 Section 85. Subsection (9) of section 480.033, Florida
 3080 Statutes, is amended to read:

3081 480.033 Definitions.—As used in this act:

3082 (9) "Board-approved massage school" means a facility that
 3083 meets minimum standards for training and curriculum as
 3084 determined by rule of the board and that is licensed by the
 3085 Department of Education pursuant to chapter 1005 or the
 3086 equivalent licensing authority of another state or is within the
 3087 public school system of this state or a college or university
 3088 that is eligible to participate in the William L. Boyd, IV,
 3089 Effective Access to Student Education ~~Florida Resident Access~~
 3090 Grant Program.

3091 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
 3092 Florida, which directed the Division of Law Revision and
 3093 Information "to substitute the term 'Effective Access to
 3094 Student Education Grant Program' for 'Florida Resident
 3095 Access Grant Program' and the term 'Effective Access to
 3096 Student Education grant' for 'Florida resident access
 3097 grant' wherever those terms appear in the Florida
 3098 Statutes."

3099 Section 86. Subsection (7) of section 483.285, Florida
 3100 Statutes, is amended to read:

3101 483.285 Application of part; exemptions.—This part applies
 3102 to all multiphasic health testing centers within the state, but

3103 does not apply to:

3104 ~~(7) A clinical laboratory registered under part I.~~

3105 Reviser's note.—Amended to delete language relating to former
3106 part I of chapter 483, which was repealed by s. 97, ch.
3107 2018-24, Laws of Florida.

3108 Section 87. Paragraph (n) of subsection (1) of section
3109 491.012, Florida Statutes, is amended to read:

3110 491.012 Violations; penalty; injunction.—

3111 (1) It is unlawful and a violation of this chapter for any
3112 person to:

3113 (n) ~~Effective October 1, 2000,~~ Practice juvenile sexual
3114 offender therapy in this state, as the practice is defined in s.
3115 491.0144, for compensation, unless the person holds an active
3116 license issued under this chapter and meets the requirements to
3117 practice juvenile sexual offender therapy. An unlicensed person
3118 may be employed by a program operated by or under contract with
3119 the Department of Juvenile Justice or the Department of Children
3120 and Families if the program employs a professional who is
3121 licensed under chapter 458, chapter 459, s. 490.0145, or s.
3122 491.0144 who manages or supervises the treatment services.

3123 Reviser's note.—Amended to delete obsolete language.

3124 Section 88. Subsection (4) of section 501.011, Florida
3125 Statutes, is amended to read:

3126 501.011 Credit cards; unsolicited delivery or mailing
3127 prohibited.—

3128 (4) No credit card bearer shall be liable for the
 3129 unauthorized use of any credit card issued on an unsolicited
 3130 basis, ~~after July 5, 1970.~~

3131 Reviser's note.—Amended to delete obsolete language.

3132 Section 89. Subsection (9) of section 527.0201, Florida
 3133 Statutes, is amended to read:

3134 527.0201 Qualifiers; master qualifiers; examinations.—

3135 (9) If a duplicate license or duplicate qualifier or
 3136 master qualifier registration certificate is requested by the
 3137 licensee, a fee of \$10 must be received before issuance of the
 3138 duplicate license or certificate.

3139 Reviser's note.—Amended to confirm the editorial insertion of
 3140 the word "or" to improve clarity.

3141 Section 90. Subsection (9) of section 560.109, Florida
 3142 Statutes, is amended to read:

3143 560.109 Examinations and investigations.—The office may
 3144 conduct examinations and investigations, within or outside this
 3145 state to determine whether a person has violated any provision
 3146 of this chapter and related rules, or of any practice or conduct
 3147 that creates the likelihood of material loss, insolvency, or
 3148 dissipation of the assets of a money services business or
 3149 otherwise materially prejudices the interests of their
 3150 customers.

3151 ~~(9) The office shall prepare and submit an annual report~~
 3152 ~~to the President of the Senate and the Speaker of the House of~~

3153 ~~Representatives beginning January 1, 2009, through January 1,~~
 3154 ~~2014, which includes:~~

3155 ~~(a) The total number of examinations and investigations~~
 3156 ~~that resulted in a referral to a state or federal agency and the~~
 3157 ~~disposition of each of those referrals by agency.~~

3158 ~~(b) The total number of initial referrals received from~~
 3159 ~~another state or federal agency, the total number of~~
 3160 ~~examinations and investigations opened as a result of referrals,~~
 3161 ~~and the disposition of each of those cases.~~

3162 ~~(c) The number of examinations or investigations~~
 3163 ~~undertaken by the office which were not the result of a referral~~
 3164 ~~from another state agency or a federal agency.~~

3165 ~~(d) The total amount of fines assessed and collected by~~
 3166 ~~the office as a result of an examination or investigation of~~
 3167 ~~activities regulated under parts II and III of this chapter.~~

3168 Reviser's note.—Amended to delete obsolete language.

3169 Section 91. Subsection (5) of section 578.08, Florida
 3170 Statutes, is amended to read:

3171 578.08 Registrations.—

3172 (5) When packet seed is sold, offered for sale, or exposed
 3173 for sale, the company that ~~who~~ packs seed for retail sale must
 3174 register and pay fees as provided under subsection (1).

3175 Reviser's note.—Amended to confirm the editorial substitution of
 3176 the word "that" for the word "who" to conform to context.

3177 Section 92. Paragraph (f) of subsection (2) of section

3178 578.11, Florida Statutes, is amended to read:

3179 578.11 Duties, authority, and rules of the department.—

3180 (2) The department is authorized to:

3181 (f) Make commercial tests of seed and ~~to~~ fix and collect
3182 charges for such tests.

3183 Reviser's note.—Amended to confirm the editorial deletion of the
3184 word "to" to improve clarity.

3185 Section 93. Paragraphs (d) and (e) of subsection (2) of
3186 section 578.13, Florida Statutes, are amended to read:

3187 578.13 Prohibitions.—

3188 (2) It shall be unlawful for a person within this state
3189 to:

3190 (d) Fail to comply with a stop-sale order or ~~to~~ move,
3191 handle, or dispose of any lot of seed, or tags attached to such
3192 seed, held under a "stop-sale" order, except with express
3193 permission of the department and for the purpose specified by
3194 the department.

3195 (e) Label, advertise, or otherwise represent seed subject
3196 to this chapter to be certified seed or any class thereof,
3197 including classes such as "registered seed," "foundation seed,"
3198 "breeder seed" or similar representations, unless:

3199 1. A seed certifying agency determines that such seed
3200 conformed to standards of purity and identity ~~identify~~ as to the
3201 kind, variety, or species and, if appropriate, subspecies and
3202 the seed certifying agency also determines that tree or shrub

3203 seed was found to be of the origin and elevation claimed, in
 3204 compliance with the rules and regulations of such agency
 3205 pertaining to such seed; and

3206 2. The seed bears an official label issued for such seed
 3207 by a seed certifying agency certifying that the seed is of a
 3208 specified class and specified to the kind, variety, or species
 3209 and, if appropriate, subspecies.

3210 Reviser's note.—Paragraph (2) (d) is amended to confirm the
 3211 editorial deletion of the word "to" to improve clarity.
 3212 Paragraph (2) (e) is amended to confirm the editorial
 3213 substitution of the word "identity" for the word "identify"
 3214 to conform to context.

3215 Section 94. Paragraphs (b) and (g) of subsection (1) of
 3216 section 590.02, Florida Statutes, are amended to read:

3217 590.02 Florida Forest Service; powers, authority, and
 3218 duties; liability; building structures; Withlacoochee Training
 3219 Center.—

3220 (1) The Florida Forest Service has the following powers,
 3221 authority, and duties to:

3222 (b) Prevent, detect, and suppress wildfires wherever they
 3223 may occur on public or private land in this state and ~~to~~ do all
 3224 things necessary in the exercise of such powers, authority, and
 3225 duties;

3226 (g) Provide fire management services and emergency
 3227 response assistance and ~~to~~ set and charge reasonable fees for

3228 performance of those services. Moneys collected from such fees
 3229 shall be deposited into the Incidental Trust Fund of the Florida
 3230 Forest Service;

3231 Reviser's note.—Amended to confirm the editorial deletions of
 3232 the word "to" to improve clarity.

3233 Section 95. Paragraph (a) of subsection (8) of section
 3234 624.509, Florida Statutes, is amended to read:

3235 624.509 Premium tax; rate and computation.—

3236 (8) The premium tax authorized by this section may not be
 3237 imposed on:

3238 (a) Any portion of the title insurance premium, as defined
 3239 in s. 627.7711, retained by a title insurance agent or agency.

3240 ~~It is the intent of the Legislature that this exemption be~~
 3241 ~~contingent on title insurers adding employees to their payroll.~~
 3242 ~~This paragraph expires December 31, 2017, unless the Department~~
 3243 ~~of Economic Opportunity determines that title insurers holding a~~
 3244 ~~valid certificate of authority as of July 1, 2014, have added,~~
 3245 ~~in aggregate, at least 600 Florida-based full-time equivalent~~
 3246 ~~positions above those existing on July 1, 2014, including~~
 3247 ~~positions obtained from a temporary employment agency or~~
 3248 ~~employee leasing company or through a union agreement or~~
 3249 ~~coemployment under a professional employer organization~~
 3250 ~~agreement by July 1, 2017. For purposes of this paragraph, the~~
 3251 ~~term "full-time equivalent position" means a position in which~~
 3252 ~~the employee works an average of at least 36 hours per week each~~

3253 ~~month.~~

3254 ~~1. The Department of Economic Opportunity may verify~~
 3255 ~~information provided by title insurers concerning additional~~
 3256 ~~positions created with any appropriate agency or authority,~~
 3257 ~~including the Department of Revenue.~~

3258 ~~2. To facilitate verification of additional positions~~
 3259 ~~created by title insurers, the Department of Economic~~
 3260 ~~Opportunity may provide a list of employees holding additional~~
 3261 ~~positions created by title insurers to any appropriate agency or~~
 3262 ~~authority, including the Department of Revenue.~~

3263 ~~3. The Department of Economic Opportunity shall submit~~
 3264 ~~such determination to the President of the Senate, the Speaker~~
 3265 ~~of the House of Representatives, and the Department of Revenue~~
 3266 ~~by October 1, 2017.~~

3267 Reviser's note.—Amended to conform to the fact that the
 3268 Department of Economic Opportunity certified by letter to
 3269 the President of the Senate and the Speaker of the House of
 3270 Representatives that the title insurance taxable premium
 3271 reduction will not expire on December 31, 2017, per the
 3272 Department of Revenue's Tax Information Publication No.
 3273 17B8-02, issued October 20, 2017.

3274 Section 96. Subsection (2) of section 627.40951, Florida
 3275 Statutes, is amended to read:

3276 627.40951 Standard personal lines residential insurance
 3277 policy.—

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3278 ~~(2) The Chief Financial Officer shall appoint an advisory~~
3279 ~~committee composed of two representatives of insurers currently~~
3280 ~~selling personal lines residential property insurance coverage,~~
3281 ~~two representatives of property and casualty agents, two~~
3282 ~~representatives of consumers, two representatives of the~~
3283 ~~Commissioner of Insurance Regulation, and the Insurance Consumer~~
3284 ~~Advocate or her or his designee. The Chief Financial Officer or~~
3285 ~~her or his designee shall serve as chair of the committee. The~~
3286 ~~committee shall develop policy language for coverage that~~
3287 ~~represents general industry standards in the market for~~
3288 ~~comprehensive coverage under personal lines residential~~
3289 ~~insurance policies and shall develop a checklist to be used with~~
3290 ~~each type of personal lines residential property insurance~~
3291 ~~policy. The committee shall review policies and related forms~~
3292 ~~written by Insurance Services Office, Inc. The committee shall~~
3293 ~~file a report containing its recommendations to the President of~~
3294 ~~the Senate and the Speaker of the House of Representatives by~~
3295 ~~January 15, 2006. No insurer shall be required to offer the~~
3296 ~~standard policy unless required by further act of the~~
3297 ~~Legislature.~~

3298 Reviser's note.—Amended to conform to the fact that the advisory
3299 committee no longer exists.

3300 Section 97. Section 627.746, Florida Statutes, is amended
3301 to read:

3302 627.746 Coverage for minors who have a learner's driver

3303 license; additional premium prohibited.—An insurer that issues
 3304 an insurance policy on a private passenger motor vehicle to a
 3305 named insured who is a caregiver of a minor who is under the age
 3306 of 18 years and is in out-of-home care as defined in s.
 3307 39.01(55) ~~39.01(49)~~ may not charge an additional premium for
 3308 coverage of the minor while the minor is operating the insured
 3309 vehicle, for the period of time that the minor has a learner's
 3310 driver license, until such time as the minor obtains a driver
 3311 license.

3312 Reviser's note.—Amended to conform to the redesignation of
 3313 subsections in s. 39.01 by s. 1, ch. 2018-103, Laws of
 3314 Florida. Section 39.01(55) defines the term "out-of-home"
 3315 for placement purposes; subsection (49) defines the term
 3316 "necessary medical treatment."

3317 Section 98. Subsection (9) of section 634.436, Florida
 3318 Statutes, is amended to read:

3319 634.436 Unfair methods of competition and unfair or
 3320 deceptive acts or practices defined.—The following methods,
 3321 acts, or practices are defined as unfair methods of competition
 3322 and unfair or deceptive acts or practices:

3323 (9) FAILURE TO PROVIDE TERMS AND CONDITIONS PRIOR TO
 3324 SALE.—Failing to provide a consumer with a complete sample copy
 3325 of the terms and conditions of the service warranty ~~prior to~~
 3326 before the time of sale upon a request for the same by the
 3327 consumer. A service warranty association may comply with this

3328 subsection by providing the consumer with a sample copy of the
 3329 terms and conditions of the warranty contract or by directing
 3330 the consumer to a website that displays a complete sample of the
 3331 terms and conditions of the contract.

3332 Reviser's note.—Amended to improve clarity.

3333 Section 99. Paragraph (b) of subsection (2) of section
 3334 641.3107, Florida Statutes, is amended to read:

3335 641.3107 Delivery of contract; definitions.—

3336 (2) As used in s. 627.421, the term:

3337 (b) "Insured" includes a subscriber or, in the case of a
 3338 group health maintenance contract, ~~to~~ the employer or other
 3339 person who will hold the contract on behalf of the subscriber
 3340 group.

3341 Reviser's note.—Amended to confirm the editorial deletion of the
 3342 word "to" to improve clarity.

3343 Section 100. Paragraph (b) of subsection (3) of section
 3344 641.511, Florida Statutes, is amended to read:

3345 641.511 Subscriber grievance reporting and resolution
 3346 requirements.—

3347 (3) Each organization's grievance procedure, as required
 3348 under subsection (1), must include, at a minimum:

3349 (b) The names of the appropriate employees or a list of
 3350 grievance departments that are responsible for implementing the
 3351 organization's grievance procedure. The list must include the
 3352 address and the toll-free telephone number of each grievance

3353 department, and the address of the agency and its toll-free
 3354 telephone hotline number, ~~and the address of the Subscriber~~
 3355 ~~Assistance Program and its toll-free telephone number.~~
 3356 Reviser's note.—Amended to conform to the repeal of s. 408.7056,
 3357 which established the Subscriber Assistance Program, by s.
 3358 67, ch. 2018-24, Laws of Florida.
 3359 Section 101. Subsection (1) of section 655.825, Florida
 3360 Statutes, is amended to read:
 3361 655.825 Deposits in trust; applicability of s. 655.82 in
 3362 place of former s. 655.81.—
 3363 (1) Because deposits in trust are also accounts with a
 3364 pay-on-death designation as described in s. 655.82, it is the
 3365 intent of the Legislature that the provisions of s. 655.82 shall
 3366 apply to and govern deposits in trust. References to former s.
 3367 655.81 in any depository agreement shall be interpreted after
 3368 the effective date of this act as references to s. 655.82.
 3369 Reviser's note.—Amended to confirm the editorial insertion of
 3370 the word "former" to conform to the repeal of s. 655.81 by
 3371 s. 20, ch. 2001-243, Laws of Florida.
 3372 Section 102. Subsection (2) of section 718.121, Florida
 3373 Statutes, is amended to read:
 3374 718.121 Liens.—
 3375 (2) Labor performed on or materials furnished to a unit
 3376 shall not be the basis for the filing of a lien pursuant to part
 3377 I of chapter 713, the Construction Lien Law, against the unit or

3378 condominium parcel of any unit owner not expressly consenting to
 3379 or requesting the labor or materials. Labor performed on or
 3380 materials furnished for the installation of an electronic
 3381 vehicle charging station pursuant to s. 718.113(8) may not be
 3382 the basis for filing a lien under part I of chapter 713 against
 3383 the association, but such a lien may be filed against the unit
 3384 owner. Labor performed on or materials furnished to the common
 3385 elements are not the basis for a lien on the common elements,
 3386 but if authorized by the association, the labor or materials are
 3387 deemed to be performed or furnished with the express consent of
 3388 each unit owner and may be the basis for the filing of a lien
 3389 against all condominium parcels in the proportions for which the
 3390 owners are liable for common expenses.

3391 Reviser's note.—Amended to confirm the editorial insertion of
 3392 the word "be" to improve clarity.

3393 Section 103. Subsection (4) of section 736.0403, Florida
 3394 Statutes, is amended to read:

3395 736.0403 Trusts created in other jurisdictions;
 3396 formalities required for revocable trusts.—

3397 (4) Paragraph (2)(b) applies to trusts created on or after
 3398 the effective date of this code. Former s. 737.111, as in effect
 3399 prior to the effective date of this code, continues to apply to
 3400 trusts created before the effective date of this code.

3401 Reviser's note.—Amended to confirm the editorial insertion of
 3402 the word "Former" to conform to the repeal of s. 737.111 by

3403 s. 48, ch. 2006-217, Laws of Florida.

3404 Section 104. Subsection (2) of section 825.101, Florida
 3405 Statutes, is amended to read:

3406 825.101 Definitions.—As used in this chapter:

3407 (2) "Caregiver" means a person who has been entrusted with
 3408 or has assumed responsibility for the care or the property of an
 3409 elderly person or disabled adult. "Caregiver" includes, but is
 3410 not limited to, relatives, court-appointed or voluntary
 3411 guardians, adult household members, neighbors, health care
 3412 providers, and employees and volunteers of facilities as defined
 3413 in subsection (7) ~~(6)~~.

3414 Reviser's note.—Amended to conform to the redesignation of
 3415 subsections in s. 825.101 by s. 1, ch. 2018-100, Laws of
 3416 Florida. Subsection (7) defines the word "facility";
 3417 subsection (6) defines the word "exploitation."

3418 Section 105. Paragraph (a) of subsection (6) of section
 3419 893.055, Florida Statutes, is amended to read:

3420 893.055 Prescription drug monitoring program.—

3421 (6) The department may enter into one or more reciprocal
 3422 agreements or contracts to share prescription drug monitoring
 3423 information with other states, districts, or territories if the
 3424 prescription drug monitoring programs of such other states,
 3425 districts, or territories are compatible with the Florida
 3426 program.

3427 (a) In determining compatibility, the department shall

3428 consider:

3429 1. The safeguards for privacy of patient records and the
3430 success of the program in protecting patient privacy.

3431 2. The persons authorized to view the data collected by
3432 the program. Comparable entities and licensed health care
3433 practitioners in other states, districts, or territories of the
3434 United States; law enforcement agencies; the Attorney General's
3435 Medicaid Fraud Control Unit; medical regulatory boards; and, as
3436 needed, management staff who ~~that~~ have similar duties as
3437 management staff who work with the prescription drug monitoring
3438 program as authorized in s. 893.0551 are authorized access upon
3439 approval by the department.

3440 3. The schedules of the controlled substances that are
3441 monitored by the program.

3442 4. The data reported to or included in the program's
3443 system.

3444 5. Any implementing criteria deemed essential for a
3445 thorough comparison.

3446 6. The costs and benefits to the state of sharing
3447 prescription information.

3448 Reviser's note.—Amended to confirm the editorial substitution of
3449 the word "who" for the word "that" to conform to context.

3450 Section 106. Subsection (6) of section 893.0551, Florida
3451 Statutes, is amended to read:

3452 893.0551 Public records exemption for the prescription

3453 drug monitoring program.—

3454 (6) An agency or person who obtains any information
3455 pursuant to this section must maintain the confidential and
3456 exempt status of that information and may not disclose such
3457 information unless authorized by law. Information shared with a
3458 state attorney pursuant to paragraph (3) (e) or paragraph (3) (f)
3459 ~~or paragraph (3) (h)~~ may be released only in response to a
3460 discovery demand if such information is directly related to the
3461 criminal case for which the information was requested. Unrelated
3462 information may be released only upon an order of a court of
3463 competent jurisdiction.

3464 Reviser's note.—Amended to correct an apparent error and conform
3465 to context. Prior to the amendment of s. 893.0551 by s. 11,
3466 ch. 2018-13, Laws of Florida, the reference was to
3467 "paragraph (3) (a) or paragraph (3) (c)." Pursuant to the
3468 amendment, former paragraph (3) (a) is now paragraph (3) (e),
3469 and former paragraph (3) (c) is now paragraph (3) (f).

3470 Section 107. Subsection (7) of section 893.13, Florida
3471 Statutes, is reenacted to read:

3472 893.13 Prohibited acts; penalties.—

3473 (7) (a) A person may not:

3474 1. Distribute or dispense a controlled substance in
3475 violation of this chapter.

3476 2. Refuse or fail to make, keep, or furnish any record,
3477 notification, order form, statement, invoice, or information

3478 required under this chapter.

3479 3. Refuse entry into any premises for any inspection or
3480 refuse to allow any inspection authorized by this chapter.

3481 4. Distribute a controlled substance named or described in
3482 s. 893.03(1) or (2) except pursuant to an order form as required
3483 by s. 893.06.

3484 5. Keep or maintain any store, shop, warehouse, dwelling,
3485 building, vehicle, boat, aircraft, or other structure or place
3486 which is resorted to by persons using controlled substances in
3487 violation of this chapter for the purpose of using these
3488 substances, or which is used for keeping or selling them in
3489 violation of this chapter.

3490 6. Use to his or her own personal advantage, or reveal,
3491 any information obtained in enforcement of this chapter except
3492 in a prosecution or administrative hearing for a violation of
3493 this chapter.

3494 7. Possess a prescription form unless it has been signed
3495 by the practitioner whose name appears printed thereon and
3496 completed. This subparagraph does not apply if the person in
3497 possession of the form is the practitioner whose name appears
3498 printed thereon, an agent or employee of that practitioner, a
3499 pharmacist, or a supplier of prescription forms who is
3500 authorized by that practitioner to possess those forms.

3501 8. Withhold information from a practitioner from whom the
3502 person seeks to obtain a controlled substance or a prescription

3503 | for a controlled substance that the person making the request
 3504 | has received a controlled substance or a prescription for a
 3505 | controlled substance of like therapeutic use from another
 3506 | practitioner within the previous 30 days.

3507 | 9. Acquire or obtain, or attempt to acquire or obtain,
 3508 | possession of a controlled substance by misrepresentation,
 3509 | fraud, forgery, deception, or subterfuge.

3510 | 10. Affix any false or forged label to a package or
 3511 | receptacle containing a controlled substance.

3512 | 11. Furnish false or fraudulent material information in,
 3513 | or omit any material information from, any report or other
 3514 | document required to be kept or filed under this chapter or any
 3515 | record required to be kept by this chapter.

3516 | 12. Store anhydrous ammonia in a container that is not
 3517 | approved by the United States Department of Transportation to
 3518 | hold anhydrous ammonia or is not constructed in accordance with
 3519 | sound engineering, agricultural, or commercial practices.

3520 | 13. With the intent to obtain a controlled substance or
 3521 | combination of controlled substances that are not medically
 3522 | necessary for the person or an amount of a controlled substance
 3523 | or substances that is not medically necessary for the person,
 3524 | obtain or attempt to obtain from a practitioner a controlled
 3525 | substance or a prescription for a controlled substance by
 3526 | misrepresentation, fraud, forgery, deception, subterfuge, or
 3527 | concealment of a material fact. For purposes of this

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3528 | subparagraph, a material fact includes whether the person has an
3529 | existing prescription for a controlled substance issued for the
3530 | same period of time by another practitioner or as described in
3531 | subparagraph 8.

3532 | (b) A health care practitioner, with the intent to provide
3533 | a controlled substance or combination of controlled substances
3534 | that are not medically necessary to his or her patient or an
3535 | amount of controlled substances that is not medically necessary
3536 | for his or her patient, may not provide a controlled substance
3537 | or a prescription for a controlled substance by
3538 | misrepresentation, fraud, forgery, deception, subterfuge, or
3539 | concealment of a material fact. For purposes of this paragraph,
3540 | a material fact includes whether the patient has an existing
3541 | prescription for a controlled substance issued for the same
3542 | period of time by another practitioner or as described in
3543 | subparagraph (a)8.

3544 | (c) A person who violates subparagraphs (a)1.-6. commits a
3545 | misdemeanor of the first degree, punishable as provided in s.
3546 | 775.082 or s. 775.083, except that, upon a second or subsequent
3547 | violation, the person commits a felony of the third degree,
3548 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3549 | (d) A person who violates subparagraphs (a)7.-12. commits
3550 | a felony of the third degree, punishable as provided in s.
3551 | 775.082, s. 775.083, or s. 775.084.

3552 | (e) A person or health care practitioner who violates the

3553 provisions of subparagraph (a)13. or paragraph (b) commits a
 3554 felony of the second degree, punishable as provided in s.
 3555 775.082, s. 775.083, or s. 775.084, if any controlled substance
 3556 that is the subject of the offense is listed in Schedule II,
 3557 Schedule III, or Schedule IV.

3558 Reviser's note.—Section 12, ch. 2018-13, Laws of Florida,
 3559 purported to amend subsection (7), but did not publish
 3560 paragraphs (a)-(d). Absent affirmative evidence of
 3561 legislative intent to repeal the omitted paragraphs,
 3562 subsection (7) is reenacted to confirm the omission was not
 3563 intended.

3564 Section 108. Paragraphs (r) and (y) of subsection (2) and
 3565 paragraph (a) of subsection (3) of section 900.05, Florida
 3566 Statutes, are amended to read:

3567 900.05 Criminal justice data collection.—

3568 (2) DEFINITIONS.—As used in this section, the term:

3569 (r) "Gain-time credit earned" means a credit of time
 3570 awarded to an inmate in a county detention facility in
 3571 accordance with s. 951.21 ~~951.22~~ or a state correctional
 3572 institution or facility in accordance with s. 944.275.

3573 (y) "Sexual offender flag" means an indication that a
 3574 defendant is required to register as a sexual predator as
 3575 defined in s. 775.21 or as a sexual offender as defined in s.
 3576 943.0435.

3577 (3) DATA COLLECTION AND REPORTING.—Beginning January 1,

3578 | 2019, an entity required to collect data in accordance with this
3579 | subsection shall collect the specified data required of the
3580 | entity on a biweekly basis. Each entity shall report the data
3581 | collected in accordance with this subsection to the Department
3582 | of Law Enforcement on a monthly basis.

3583 | (a) *Clerk of the court.*—Each clerk of court shall collect
3584 | the following data for each criminal case:

3585 | 1. Case number.

3586 | 2. Date that the alleged offense occurred.

3587 | 3. County in which the offense is alleged to have
3588 | occurred.

3589 | 4. Date the defendant is taken into physical custody by a
3590 | law enforcement agency or is issued a notice to appear on a
3591 | criminal charge, if such date is different from the date the
3592 | offense is alleged to have occurred.

3593 | 5. Date that the criminal prosecution of a defendant is
3594 | formally initiated through the filing, with the clerk of the
3595 | court, of an information by the state attorney or an indictment
3596 | issued by a grand jury.

3597 | 6. Arraignment date.

3598 | 7. Attorney assignment date.

3599 | 8. Attorney withdrawal date.

3600 | 9. Case status.

3601 | 10. Disposition date.

3602 | 11. Information related to each defendant, including:

- 3603 a. Identifying information, including name, date of birth,
 3604 age, race or ethnicity, and gender.
- 3605 b. Zip code of primary residence.
- 3606 c. Primary language.
- 3607 d. Citizenship.
- 3608 e. Immigration status, if applicable.
- 3609 f. Whether the defendant has been found by a court to be
 3610 indigent pursuant to s. 27.52.
- 3611 12. Information related to the formal charges filed
 3612 against the defendant, including:
- 3613 a. Charge description.
- 3614 b. Charge modifier, if applicable.
- 3615 c. Drug type for each drug charge, if known.
- 3616 d. Qualification for a flag designation as defined in this
 3617 section, including a domestic violence flag, gang affiliation
 3618 flag, sexual offender flag, habitual offender flag, or pretrial
 3619 release violation flag.
- 3620 13. Information related to bail or bond and pretrial
 3621 release determinations, including the dates of any such
 3622 determinations:
- 3623 a. Pretrial release determination made at a first
 3624 appearance hearing that occurs within 24 hours of arrest,
 3625 including all monetary and nonmonetary conditions of release.
- 3626 b. Modification of bail or bond conditions made by a court
 3627 having jurisdiction to try the defendant or, in the absence of

3628 | the judge of the trial court, by the circuit court, including
3629 | modifications to any monetary and nonmonetary conditions of
3630 | release.

3631 | c. Cash bail or bond payment, including whether the
3632 | defendant utilized a bond agent to post a surety bond.

3633 | d. Date defendant is released on bail, bond, or pretrial
3634 | release.

3635 | e. Bail or bond revocation due to a new offense, a failure
3636 | to appear, or a violation of the terms of bail or bond, if
3637 | applicable.

3638 | 14. Information related to court dates and dates of
3639 | motions and appearances, including:

3640 | a. Date of any court appearance and the type of proceeding
3641 | scheduled for each date reported.

3642 | b. Date of any failure to appear in court, if applicable.

3643 | c. Judicial transfer date, if applicable.

3644 | d. Trial date.

3645 | e. Date that a defendant files a notice to participate in
3646 | discovery.

3647 | f. Speedy trial motion and hearing dates, if applicable.

3648 | g. Dismissal motion and hearing dates, if applicable.

3649 | 15. Defense attorney type.

3650 | 16. Information related to sentencing, including:

3651 | a. Date that a court enters a sentence against a
3652 | defendant.

- 3653 | b. Charge sentenced to, including charge sequence number,
3654 | charge description, statute, type, and charge class severity.
- 3655 | c. Sentence type and length imposed by the court,
3656 | including, but not limited to, the total duration of
3657 | imprisonment in a county detention facility or state
3658 | correctional institution or facility, and conditions of
3659 | probation or community control supervision.
- 3660 | d. Amount of time served in custody by the defendant
3661 | related to the reported criminal case that is credited at the
3662 | time of disposition of the case to reduce the actual length of
3663 | time the defendant will serve on the term of imprisonment that
3664 | is ordered by the court at disposition.
- 3665 | e. Total amount of court fees imposed by the court at the
3666 | disposition of the case.
- 3667 | f. Outstanding balance of the defendant's court fees
3668 | imposed by the court at disposition of the case.
- 3669 | g. Total amount of fines imposed by the court at the
3670 | disposition of the case.
- 3671 | h. Outstanding balance of the defendant's fines imposed by
3672 | the court at disposition of the case.
- 3673 | i. Restitution amount ordered, including the amount
3674 | collected by the court and the amount paid to the victim, if
3675 | applicable.
- 3676 | j. Digitized sentencing scoresheet prepared in accordance
3677 | with s. 921.0024.

3678 17. The number of judges or magistrates, or their
 3679 equivalents, hearing cases in circuit or county criminal
 3680 divisions of the circuit court. Judges or magistrates, or their
 3681 equivalents, who solely hear appellate cases from the county
 3682 criminal division are not to be reported under this
 3683 subparagraph.

3684 Reviser's note.—Paragraph (2) (r) is amended to correct an
 3685 erroneous cross-reference. Section 951.21 relates to gain-
 3686 time for good conduct for county prisoners; s. 951.22
 3687 relates to articles of contraband in county detention
 3688 facilities. Paragraph (2) (y) is amended to confirm the
 3689 editorial insertion of the word "is" to improve clarity.
 3690 Paragraph (3) (a) is amended to confirm the editorial
 3691 insertion of the word "of" to improve clarity.

3692 Section 109. Paragraph (c) of subsection (1) of section
 3693 934.255, Florida Statutes, is amended to read:

3694 934.255 Subpoenas in investigations of sexual offenses.—

3695 (1) As used in this section, the term:

3696 (c) "Sexual abuse of a child" means a criminal offense
 3697 based on any conduct described in s. 39.01(77) ~~39.01(71)~~.

3698 Reviser's note.—Amended to conform to the redesignation of
 3699 subsections within s. 39.01 by s. 1, ch. 2018-103, Laws of
 3700 Florida. Section 39.01(77) defines the term "sexual abuse
 3701 of a child"; s. 39.01(71) defines the term "protective
 3702 supervision."

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3703 Section 110. Paragraph (a) of subsection (2) of section
3704 943.0585, Florida Statutes, is amended to read:
3705 943.0585 Court-ordered expunction of criminal history
3706 records.—The courts of this state have jurisdiction over their
3707 own procedures, including the maintenance, expunction, and
3708 correction of judicial records containing criminal history
3709 information to the extent such procedures are not inconsistent
3710 with the conditions, responsibilities, and duties established by
3711 this section. Any court of competent jurisdiction may order a
3712 criminal justice agency to expunge the criminal history record
3713 of a minor or an adult who complies with the requirements of
3714 this section. The court shall not order a criminal justice
3715 agency to expunge a criminal history record until the person
3716 seeking to expunge a criminal history record has applied for and
3717 received a certificate of eligibility for expunction pursuant to
3718 subsection (2) or subsection (5). A criminal history record that
3719 relates to a violation of s. 393.135, s. 394.4593, s. 787.025,
3720 chapter 794, former s. 796.03, s. 800.04, s. 810.14, s. 817.034,
3721 s. 825.1025, s. 827.071, chapter 839, s. 847.0133, s. 847.0135,
3722 s. 847.0145, s. 893.135, s. 916.1075, a violation enumerated in
3723 s. 907.041, or any violation specified as a predicate offense
3724 for registration as a sexual predator pursuant to s. 775.21,
3725 without regard to whether that offense alone is sufficient to
3726 require such registration, or for registration as a sexual
3727 offender pursuant to s. 943.0435, may not be expunged, without

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3728 regard to whether adjudication was withheld, if the defendant
3729 was found guilty of or pled guilty or nolo contendere to the
3730 offense, or if the defendant, as a minor, was found to have
3731 committed, or pled guilty or nolo contendere to committing, the
3732 offense as a delinquent act. The court may only order expunction
3733 of a criminal history record pertaining to one arrest or one
3734 incident of alleged criminal activity, except as provided in
3735 this section. The court may, at its sole discretion, order the
3736 expunction of a criminal history record pertaining to more than
3737 one arrest if the additional arrests directly relate to the
3738 original arrest. If the court intends to order the expunction of
3739 records pertaining to such additional arrests, such intent must
3740 be specified in the order. A criminal justice agency may not
3741 expunge any record pertaining to such additional arrests if the
3742 order to expunge does not articulate the intention of the court
3743 to expunge a record pertaining to more than one arrest. This
3744 section does not prevent the court from ordering the expunction
3745 of only a portion of a criminal history record pertaining to one
3746 arrest or one incident of alleged criminal activity.
3747 Notwithstanding any law to the contrary, a criminal justice
3748 agency may comply with laws, court orders, and official requests
3749 of other jurisdictions relating to expunction, correction, or
3750 confidential handling of criminal history records or information
3751 derived therefrom. This section does not confer any right to the
3752 expunction of any criminal history record, and any request for

3753 expunction of a criminal history record may be denied at the
3754 sole discretion of the court.

3755 (2) CERTIFICATE OF ELIGIBILITY FOR EXPUNCTION.—Prior to
3756 petitioning the court to expunge a criminal history record, a
3757 person seeking to expunge a criminal history record shall apply
3758 to the department for a certificate of eligibility for
3759 expunction. The department shall, by rule adopted pursuant to
3760 chapter 120, establish procedures pertaining to the application
3761 for and issuance of certificates of eligibility for expunction.
3762 A certificate of eligibility for expunction is valid for 12
3763 months after the date stamped on the certificate when issued by
3764 the department. After that time, the petitioner must reapply to
3765 the department for a new certificate of eligibility. Eligibility
3766 for a renewed certification of eligibility must be based on the
3767 status of the applicant and the law in effect at the time of the
3768 renewal application. The department shall issue a certificate of
3769 eligibility for expunction to a person who is the subject of a
3770 criminal history record if that person:

3771 (a) Has obtained, and submitted to the department, a
3772 written, certified statement from the appropriate state attorney
3773 or statewide prosecutor which indicates:

3774 1. That an indictment, information, or other charging
3775 document was not filed or issued in the case.

3776 2. That an indictment, information, or other charging
3777 document, if filed or issued in the case, was dismissed or nolle

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3778 | prosequi by the state attorney or statewide prosecutor, or was
3779 | dismissed by a court of competent jurisdiction, ~~or~~ that a
3780 | judgment of acquittal was rendered by a judge, or that a verdict
3781 | of not guilty was rendered by a judge or jury.

3782 | 3. That the criminal history record does not relate to a
3783 | violation of s. 393.135, s. 394.4593, s. 787.025, chapter 794,
3784 | former s. 796.03, s. 800.04, s. 810.14, s. 817.034, s. 825.1025,
3785 | s. 827.071, chapter 839, s. 847.0133, s. 847.0135, s. 847.0145,
3786 | s. 893.135, s. 916.1075, a violation enumerated in s. 907.041,
3787 | or any violation specified as a predicate offense for
3788 | registration as a sexual predator pursuant to s. 775.21, without
3789 | regard to whether that offense alone is sufficient to require
3790 | such registration, or for registration as a sexual offender
3791 | pursuant to s. 943.0435, where the defendant was found guilty
3792 | of, or pled guilty or nolo contendere to any such offense, or
3793 | that the defendant, as a minor, was found to have committed, or
3794 | pled guilty or nolo contendere to committing, such an offense as
3795 | a delinquent act, without regard to whether adjudication was
3796 | withheld.

3797 | Reviser's note.—Amended to confirm the editorial deletion of the
3798 | comma and restoration of the word "or" after the words
3799 | "state attorney or statewide prosecutor" and the editorial
3800 | deletion of the word "or" after the words "court of
3801 | competent jurisdiction" to improve clarity.

3802 | Section 111. Subsection (4) of section 943.1758, Florida

3803 Statutes, is amended to read:

3804 943.1758 Curriculum revision for diverse populations;
 3805 skills training.-

3806 (4) ~~By October 1, 2001,~~ The instruction in the subject of
 3807 interpersonal skills relating to diverse populations shall
 3808 consist of a module developed by the commission on the topic of
 3809 discriminatory profiling.

3810 Reviser's note.-Amended to delete obsolete language.

3811 Section 112. Subsection (1) of section 944.115, Florida
 3812 Statutes, is amended to read:

3813 944.115 Smoking prohibited inside state correctional
 3814 facilities.-

3815 (1) The purpose of this section is to protect the health,
 3816 comfort, and environment of employees of the Department of
 3817 Corrections, employees of privately operated correctional
 3818 facilities, and inmates by prohibiting inmates from using
 3819 tobacco products inside any office or building within state
 3820 correctional facilities, and by ensuring that employees and
 3821 visitors do not use tobacco products inside any office or
 3822 building within state correctional facilities. Scientific
 3823 evidence links the use of tobacco products with numerous
 3824 significant health risks. The use of tobacco products by
 3825 inmates, employees, or visitors is contrary to efforts by the
 3826 Department of Corrections to reduce the cost of inmate health
 3827 care and to limit unnecessary litigation. The Department of

3828 Corrections and the private vendors operating correctional
 3829 facilities shall make smoking-cessation assistance available to
 3830 inmates in order to implement this section. ~~The Department of~~
 3831 ~~Corrections and the private vendors operating correctional~~
 3832 ~~facilities shall implement this section as soon as possible, and~~
 3833 ~~all provisions of this section must be fully implemented by~~
 3834 ~~January 1, 2000.~~

3835 Reviser's note.—Amended to delete obsolete language.

3836 Section 113. Subsection (10) of section 985.48, Florida
 3837 Statutes, is amended to read:

3838 985.48 Juvenile sexual offender commitment programs;
 3839 sexual abuse intervention networks.—

3840 (10) A Child Protection Team ~~child protection team~~ or the
 3841 state attorney in any judicial circuit may establish a sexual
 3842 abuse intervention network to assist in identifying,
 3843 investigating, prosecuting, treating, and preventing sexual
 3844 abuse with special emphasis on juvenile sexual offenders and
 3845 victims of sexual abuse.

3846 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
 3847 of Florida, which directed the Division of Law Revision and
 3848 Information to prepare a reviser's bill "to capitalize each
 3849 word of the term 'child protection team' wherever it occurs
 3850 in the Florida Statutes."

3851 Section 114. Paragraph (c) of subsection (8) of section
 3852 1002.33, Florida Statutes, is amended to read:

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3853 | 1002.33 Charter schools.—
3854 | (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—
3855 | (c) A charter may be terminated immediately if the sponsor
3856 | sets forth in writing the particular facts and circumstances
3857 | indicating that an immediate and serious danger to the health,
3858 | safety, or welfare of the charter school's students exists. The
3859 | sponsor's determination is subject to the procedures set forth
3860 | in paragraph ~~paragraphs~~ (b) ~~and (c)~~, except that the hearing may
3861 | take place after the charter has been terminated. The sponsor
3862 | shall notify in writing the charter school's governing board,
3863 | the charter school principal, and the department if a charter is
3864 | terminated immediately. The sponsor shall clearly identify the
3865 | specific issues that resulted in the immediate termination and
3866 | provide evidence of prior notification of issues resulting in
3867 | the immediate termination when appropriate. Upon receiving
3868 | written notice from the sponsor, the charter school's governing
3869 | board has 10 calendar days to request a hearing. A requested
3870 | hearing must be expedited and the final order must be issued
3871 | within 60 days after the date of request. The sponsor shall
3872 | assume operation of the charter school throughout the pendency
3873 | of the hearing under paragraph ~~paragraphs~~ (b) ~~and (c)~~ unless the
3874 | continued operation of the charter school would materially
3875 | threaten the health, safety, or welfare of the students. Failure
3876 | by the sponsor to assume and continue operation of the charter
3877 | school shall result in the awarding of reasonable costs and

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3878 attorney's fees to the charter school if the charter school
3879 prevails on appeal.

3880 Reviser's note.—Amended to delete references to former paragraph
3881 (c), which was amended and merged into paragraph (b) by s.
3882 9, ch. 2018-6, Laws of Florida.

3883 Section 115. Subsection (1) of section 1002.36, Florida
3884 Statutes, is amended to read:

3885 1002.36 Florida School for the Deaf and the Blind.—

3886 (1) RESPONSIBILITIES.—The Florida School for the Deaf and
3887 the Blind, located in St. Johns County, is a state-supported
3888 residential public school for hearing-impaired and visually
3889 impaired students in preschool through 12th grade. The school is
3890 a component of the delivery of public education within Florida's
3891 K-20 education system and shall be funded through the Department
3892 of Education. The school shall provide educational programs and
3893 support services appropriate to meet the education and related
3894 evaluation and counseling needs of hearing-impaired and visually
3895 impaired students in the state who meet enrollment criteria.
3896 Unless otherwise provided by law, the school shall comply with
3897 all laws and rules applicable to state agencies. Education
3898 services may be provided on an outreach basis for sensory-
3899 impaired children ages 0 through 5 years and to district school
3900 boards upon request. Graduates of the Florida School for the
3901 Deaf and the Blind shall be eligible for the William L. Boyd,
3902 IV, Effective Access to Student Education ~~Florida Resident~~

3903 ~~Access~~ Grant Program as provided in s. 1009.89.
 3904 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
 3905 Florida, which directed the Division of Law Revision and
 3906 Information "to substitute the term 'Effective Access to
 3907 Student Education Grant Program' for 'Florida Resident
 3908 Access Grant Program' and the term 'Effective Access to
 3909 Student Education grant' for 'Florida resident access
 3910 grant' wherever those terms appear in the Florida
 3911 Statutes."
 3912 Section 116. Paragraph (f) of subsection (2) of section
 3913 1002.385, Florida Statutes, is amended to read:
 3914 1002.385 The Gardiner Scholarship.—
 3915 (2) DEFINITIONS.—As used in this section, the term:
 3916 (f) "Eligible postsecondary educational institution" means
 3917 a Florida College System institution; a state university; a
 3918 school district technical center; a school district adult
 3919 general education center; an independent college or university
 3920 that is eligible to participate in the William L. Boyd, IV,
 3921 Effective Access to Student Education ~~Florida Resident Access~~
 3922 Grant Program under s. 1009.89; or an accredited independent
 3923 postsecondary educational institution, as defined in s. 1005.02,
 3924 which is licensed to operate in the state pursuant to
 3925 requirements specified in part III of chapter 1005.
 3926 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
 3927 Florida, which directed the Division of Law Revision and

3928 Information "to substitute the term 'Effective Access to
 3929 Student Education Grant Program' for 'Florida Resident
 3930 Access Grant Program' and the term 'Effective Access to
 3931 Student Education grant' for 'Florida resident access
 3932 grant' wherever those terms appear in the Florida
 3933 Statutes."

3934 Section 117. Paragraph (f) of subsection (2), paragraph
 3935 (p) of subsection (6), and paragraph (i) of subsection (15) of
 3936 section 1002.395, Florida Statutes, are amended to read:

3937 1002.395 Florida Tax Credit Scholarship Program.—

3938 (2) DEFINITIONS.—As used in this section, the term:

3939 (f) "Eligible nonprofit scholarship-funding organization"

3940 means a state university; or an independent college or
 3941 university that is eligible to participate in the William L.
 3942 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
 3943 ~~Access~~ Grant Program, located and chartered in this state, is
 3944 not for profit, and is accredited by the Commission on Colleges
 3945 of the Southern Association of Colleges and Schools; or is a
 3946 charitable organization that:

3947 1. Is exempt from federal income tax pursuant to s.
 3948 501(c)(3) of the Internal Revenue Code;

3949 2. Is a Florida entity formed under chapter 605, chapter
 3950 607, or chapter 617 and whose principal office is located in the
 3951 state; and

3952 3. Complies with subsections (6) and (15).

3953 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
 3954 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
 3955 organization:

3956 (p) Must maintain the surety bond or letter of credit
 3957 required by subsection (15). The amount of the surety bond or
 3958 letter of credit may be adjusted quarterly to equal the actual
 3959 amount of undisbursed funds based upon submission by the
 3960 organization of a statement from a certified public accountant
 3961 verifying the amount of undisbursed funds. The requirements of
 3962 this paragraph are waived if the cost of acquiring a surety bond
 3963 or letter of credit exceeds the average 10-year cost of
 3964 acquiring a surety bond or letter of credit by 200 percent. The
 3965 requirements of this paragraph are waived for a state
 3966 university; or an independent college or university which is
 3967 eligible to participate in the William L. Boyd, IV, Effective
 3968 Access to Student Education ~~Florida Resident Access~~ Grant
 3969 Program, located and chartered in this state, is not for profit,
 3970 and is accredited by the Commission on Colleges of the Southern
 3971 Association of Colleges and Schools.

3972
 3973 Information and documentation provided to the Department of
 3974 Education and the Auditor General relating to the identity of a
 3975 taxpayer that provides an eligible contribution under this
 3976 section shall remain confidential at all times in accordance
 3977 with s. 213.053.

3978 (15) NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS;
 3979 APPLICATION.—In order to participate in the scholarship program
 3980 created under this section, a charitable organization that seeks
 3981 to be a nonprofit scholarship-funding organization must submit
 3982 an application for initial approval or renewal to the Office of
 3983 Independent Education and Parental Choice no later than
 3984 September 1 of each year before the school year for which the
 3985 organization intends to offer scholarships.

3986 (i) A state university; or an independent college or
 3987 university which is eligible to participate in the William L.
 3988 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
 3989 ~~Access~~ Grant Program, located and chartered in this state, is
 3990 not for profit, and is accredited by the Commission on Colleges
 3991 of the Southern Association of Colleges and Schools, is exempt
 3992 from the initial or renewal application process, but must file a
 3993 registration notice with the Department of Education to be an
 3994 eligible nonprofit scholarship-funding organization. The State
 3995 Board of Education shall adopt rules that identify the procedure
 3996 for filing the registration notice with the department. The
 3997 rules must identify appropriate reporting requirements for
 3998 fiscal, programmatic, and performance accountability purposes
 3999 consistent with this section, but shall not exceed the
 4000 requirements for eligible nonprofit scholarship-funding
 4001 organizations for charitable organizations. ~~A nonprofit~~
 4002 ~~scholarship-funding organization that becomes eligible pursuant~~

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4003 ~~to this paragraph may begin providing scholarships to~~
4004 ~~participating students in the 2015-2016 school year.~~

4005 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4006 Florida, which directed the Division of Law Revision and
4007 Information "to substitute the term 'Effective Access to
4008 Student Education Grant Program' for 'Florida Resident
4009 Access Grant Program' and the term 'Effective Access to
4010 Student Education grant' for 'Florida resident access
4011 grant' wherever those terms appear in the Florida
4012 Statutes." Paragraph (15)(i) is also amended to delete
4013 obsolete language.

4014 Section 118. Paragraph (k) of subsection (2) and paragraph
4015 (a) of subsection (5) of section 1002.82, Florida Statutes, are
4016 amended to read:

4017 1002.82 Office of Early Learning; powers and duties.—

4018 (2) The office shall:

4019 (k) Identify observation-based child assessments that are
4020 valid, reliable, and developmentally appropriate for use at
4021 least three times a year. The assessments must:

4022 1. Provide interval level and criterion-referenced data
4023 that measures equivalent levels of growth across the core
4024 domains of early childhood development and that can be used for
4025 determining developmentally appropriate learning gains.

4026 2. Measure progress in the performance standards adopted
4027 pursuant to paragraph (j).

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4028 | 3. Provide for appropriate accommodations for children
4029 | with disabilities and English language learners and be
4030 | administered by qualified individuals, consistent with the
4031 | developer's instructions.

4032 | 4. Coordinate with the performance standards adopted by
4033 | the department under s. 1002.67(1) for the Voluntary
4034 | Prekindergarten Education Program.

4035 | 5. Provide data in a format for use in the single
4036 | statewide information system to meet the requirements of
4037 | paragraph (p) ~~(q)~~.

4038 | (5) By January 1 of each year, the office shall annually
4039 | publish on its website a report of its activities conducted
4040 | under this section. The report must include a summary of the
4041 | coalitions' annual reports, a statewide summary, and the
4042 | following:

4043 | (a) An analysis of early learning activities throughout
4044 | the state, including the school readiness program and the
4045 | Voluntary Prekindergarten Education Program.

4046 | 1. The total and average number of children served in the
4047 | school readiness program, enumerated by age, eligibility
4048 | priority category, and coalition, and the total number of
4049 | children served in the Voluntary Prekindergarten Education
4050 | Program.

4051 | 2. A summary of expenditures by coalition, by fund source,
4052 | including a breakdown by coalition of the percentage of

4053 expenditures for administrative activities, quality activities,
4054 nondirect services, and direct services for children.

4055 3. A description of the office's and each coalition's
4056 expenditures by fund source for the quality and enhancement
4057 activities described in s. 1002.89(6)(b).

4058 4. A summary of annual findings and collections related to
4059 provider fraud and parent fraud.

4060 5. Data regarding the coalitions' delivery of early
4061 learning programs.

4062 6. The total number of children disenrolled statewide and
4063 the reason for disenrollment.

4064 7. The total number of providers by provider type.

4065 8. The number of school readiness program providers who
4066 have completed the program assessment required under paragraph
4067 (2)(n); the number of providers who have not met the minimum
4068 threshold for contracting established under ~~to~~ paragraph (2)(n);
4069 and the number of providers that have an active improvement plan
4070 based on the results of the program assessment under paragraph
4071 (2)(n).

4072 9. The total number of provider contracts revoked and the
4073 reasons for revocation.

4074 Reviser's note.—Paragraph (2)(k) is amended to confirm the
4075 editorial substitution of a reference to paragraph (p) for
4076 a reference to paragraph (q) to correct an erroneous cross-
4077 reference to paragraph (q) added by s. 2, ch. 2018-136,

4078 | Laws of Florida. Paragraph (p) relates to establishment of
4079 | a single statewide information system for coalitions;
4080 | paragraph (q) relates to adoption of standardized
4081 | monitoring procedures for coalition use. Paragraph (5)(a)
4082 | is amended to confirm the editorial deletion of the word
4083 | "to" to improve clarity.

4084 | Section 119. Subsection (8) of section 1004.085, Florida
4085 | Statutes, is amended to read:

4086 | 1004.085 Textbook and instructional materials
4087 | affordability.—

4088 | (8) The board of trustees of each Florida College System
4089 | institution and state university shall report, by September 30
4090 | of each year, ~~beginning in 2016,~~ to the Chancellor of the
4091 | Florida College System or the Chancellor of the State University
4092 | System, as applicable, the textbook and instructional materials
4093 | selection process for general education courses with a wide cost
4094 | variance identified pursuant to subsection (4) and high-
4095 | enrollment courses; specific initiatives of the institution
4096 | designed to reduce the costs of textbooks and instructional
4097 | materials; policies implemented in accordance with subsection
4098 | (6); the number of courses and course sections that were not
4099 | able to meet the textbook and instructional materials posting
4100 | deadline for the previous academic year; and any additional
4101 | information determined by the chancellors. By November 1 of each
4102 | year, ~~beginning in 2016,~~ each chancellor shall provide a summary

4103 of the information provided by institutions to the State Board
4104 of Education and the Board of Governors, as applicable.

4105 Reviser's note.—Amended to delete obsolete language.

4106 Section 120. Paragraph (c) of subsection (3) of section
4107 1004.097, Florida Statutes, is amended to read:

4108 1004.097 Free expression on campus.—

4109 (3) RIGHT TO FREE-SPEECH ACTIVITIES.—

4110 (c) Outdoor areas of campus are considered traditional
4111 public forums for individuals, organizations, and guest
4112 speakers. A public institution of higher education may create
4113 and enforce restrictions that are reasonable and content-neutral
4114 on time, place, and manner of expression and that are narrowly
4115 tailored to a significant institutional interest. Restrictions
4116 must be clear and published and must ~~and~~ provide for ample
4117 alternative means of expression.

4118 Reviser's note.—Amended to confirm the editorial deletion of the
4119 word "and" to improve clarity.

4120 Section 121. Paragraph (c) of subsection (3) of section
4121 1004.6495, Florida Statutes, is amended to read:

4122 1004.6495 Florida Postsecondary Comprehensive Transition
4123 Program and Florida Center for Students with Unique Abilities.—

4124 (3) DEFINITIONS.—As used in this section, the term:

4125 (c) "Eligible institution" means a state university; a
4126 Florida College System institution; a career center; a charter
4127 technical career center; or an independent college or university

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4128 | that is located and chartered in this state, is not for profit,
4129 | is accredited by the Commission on Colleges of the Southern
4130 | Association of Colleges and Schools, and is eligible to
4131 | participate in the William L. Boyd, IV, Effective Access to
4132 | Student Education ~~Florida Resident Access~~ Grant Program.
4133 | Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4134 | Florida, which directed the Division of Law Revision and
4135 | Information "to substitute the term 'Effective Access to
4136 | Student Education Grant Program' for 'Florida Resident
4137 | Access Grant Program' and the term 'Effective Access to
4138 | Student Education grant' for 'Florida resident access
4139 | grant' wherever those terms appear in the Florida
4140 | Statutes."
4141 | Section 122. Paragraph (d) of subsection (1) of section
4142 | 1005.03, Florida Statutes, is amended to read:
4143 | 1005.03 Designation "college" or "university."—
4144 | (1) The use of the designation "college" or "university"
4145 | in combination with any series of letters, numbers, or words is
4146 | restricted in this state to colleges or universities as defined
4147 | in s. 1005.02 that offer degrees as defined in s. 1005.02 and
4148 | fall into at least one of the following categories:
4149 | (d) A college that is under the jurisdiction of the
4150 | Department of Education, eligible to participate in the William
4151 | L. Boyd, IV, Effective Access to Student Education ~~Florida~~
4152 | ~~Resident Access~~ Grant Program and that is a nonprofit

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4153 independent college or university located and chartered in this
4154 state and accredited by the Commission on Colleges of the
4155 Southern Association of Colleges and Schools to grant
4156 baccalaureate degrees.

4157 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4158 Florida, which directed the Division of Law Revision and
4159 Information "to substitute the term 'Effective Access to
4160 Student Education Grant Program' for 'Florida Resident
4161 Access Grant Program' and the term 'Effective Access to
4162 Student Education grant' for 'Florida resident access
4163 grant' wherever those terms appear in the Florida
4164 Statutes."

4165 Section 123. Paragraph (c) of subsection (1) of section
4166 1005.06, Florida Statutes, is amended to read:

4167 1005.06 Institutions not under the jurisdiction or purview
4168 of the commission.—

4169 (1) Except as otherwise provided in law, the following
4170 institutions are not under the jurisdiction or purview of the
4171 commission and are not required to obtain licensure:

4172 (c) Any institution that is under the jurisdiction of the
4173 Department of Education, eligible to participate in the William
4174 L. Boyd, IV, Effective Access to Student Education ~~Florida~~
4175 ~~Resident Access~~ Grant Program and that is a nonprofit
4176 independent college or university located and chartered in this
4177 state and accredited by the Commission on Colleges of the

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4178 Southern Association of Colleges and Schools to grant
4179 baccalaureate degrees.

4180 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4181 Florida, which directed the Division of Law Revision and
4182 Information "to substitute the term 'Effective Access to
4183 Student Education Grant Program' for 'Florida Resident
4184 Access Grant Program' and the term 'Effective Access to
4185 Student Education grant' for 'Florida resident access
4186 grant' wherever those terms appear in the Florida
4187 Statutes."

4188 Section 124. Subsection (3) of section 1006.061, Florida
4189 Statutes, is amended to read:

4190 1006.061 Child abuse, abandonment, and neglect policy.—
4191 Each district school board, charter school, and private school
4192 that accepts scholarship students who participate in a state
4193 scholarship program under chapter 1002 shall:

4194 (3) Require the principal of the charter school or private
4195 school, or the district school superintendent, or the
4196 superintendent's designee, at the request of the Department of
4197 Children and Families, to act as a liaison to the Department of
4198 Children and Families and the Child Protection Team ~~child~~
4199 ~~protection team~~, as defined in s. 39.01, when in a case of
4200 suspected child abuse, abandonment, or neglect or an unlawful
4201 sexual offense involving a child the case is referred to such a
4202 team; except that this does not relieve or restrict the

4203 Department of Children and Families from discharging its duty
 4204 and responsibility under the law to investigate and report every
 4205 suspected or actual case of child abuse, abandonment, or neglect
 4206 or unlawful sexual offense involving a child.

4207
 4208 The Department of Education shall develop, and publish on the
 4209 department's Internet website, sample notices suitable for
 4210 posting in accordance with subsections (1), (2), and (4).

4211 Reviser's note.—Amended to conform to s. 32, ch. 2018-103, Laws
 4212 of Florida, which directed the Division of Law Revision and
 4213 Information to prepare a reviser's bill "to capitalize each
 4214 word of the term 'child protection team' wherever it occurs
 4215 in the Florida Statutes."

4216 Section 125. Section 1006.12, Florida Statutes, is
 4217 reenacted and amended to read:

4218 1006.12 Safe-school officers at each public school.—For
 4219 the protection and safety of school personnel, property,
 4220 students, and visitors, each district school board and school
 4221 district superintendent shall partner with law enforcement
 4222 agencies to establish or assign one or more safe-school officers
 4223 at each school facility within the district by implementing any
 4224 combination of the following options which best meets the needs
 4225 of the school district:

4226 (1) Establish school resource officer programs, through a
 4227 cooperative agreement with law enforcement agencies.

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4228 (a) School resource officers shall undergo criminal
4229 background checks, drug testing, and a psychological evaluation
4230 and be certified law enforcement officers, as defined in s.
4231 943.10(1), who are employed by a law enforcement agency as
4232 defined in s. 943.10(4). The powers and duties of a law
4233 enforcement officer shall continue throughout the employee's
4234 tenure as a school resource officer.

4235 (b) School resource officers shall abide by district
4236 school board policies and shall consult with and coordinate
4237 activities through the school principal, but shall be
4238 responsible to the law enforcement agency in all matters
4239 relating to employment, subject to agreements between a district
4240 school board and a law enforcement agency. Activities conducted
4241 by the school resource officer which are part of the regular
4242 instructional program of the school shall be under the direction
4243 of the school principal.

4244 (c) Complete mental health crisis intervention training
4245 using a curriculum developed by a national organization with
4246 expertise in mental health crisis intervention. The training
4247 shall improve officers' knowledge and skills as first responders
4248 to incidents involving students with emotional disturbance or
4249 mental illness, including de-escalation skills to ensure student
4250 and officer safety.

4251 (2) Commission one or more school safety officers for the
4252 protection and safety of school personnel, property, and

4253 students within the school district. The district school
4254 superintendent may recommend, and the district school board may
4255 appoint, one or more school safety officers.

4256 (a) School safety officers shall undergo criminal
4257 background checks, drug testing, and a psychological evaluation
4258 and be law enforcement officers, as defined in s. 943.10(1),
4259 certified under the provisions of chapter 943 and employed by
4260 either a law enforcement agency or by the district school board.
4261 If the officer is employed by the district school board, the
4262 district school board is the employing agency for purposes of
4263 chapter 943, and must comply with the provisions of that
4264 chapter.

4265 (b) A school safety officer has and shall exercise the
4266 power to make arrests for violations of law on district school
4267 board property and to arrest persons, whether on or off such
4268 property, who violate any law on such property under the same
4269 conditions that deputy sheriffs are authorized to make arrests.
4270 A school safety officer has the authority to carry weapons when
4271 performing his or her official duties.

4272 (c) A district school board may enter into mutual aid
4273 agreements with one or more law enforcement agencies as provided
4274 in chapter 23. A school safety officer's salary may be paid
4275 jointly by the district school board and the law enforcement
4276 agency, as mutually agreed to.

4277 (3) At the school district's discretion, participate in

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4278 | the Coach Aaron Feis Guardian Program ~~school marshal program~~ if
4279 | such program is established pursuant to s. 30.15, to meet the
4280 | requirement of establishing a safe-school officer.

4281 | (4) Any information that would identify whether a
4282 | particular individual has been appointed as a safe-school
4283 | officer pursuant to this section held by a law enforcement
4284 | agency, school district, or charter school is exempt from s.
4285 | 119.07(1) and s. 24(a), Art. I of the State Constitution. This
4286 | subsection is subject to the Open Government Sunset Review Act
4287 | in accordance with s. 119.15 and shall stand repealed on October
4288 | 2, 2023, unless reviewed and saved from repeal through
4289 | reenactment by the Legislature.

4290 | Reviser's note.—Section 3, ch. 2018-1, Laws of Florida, added
4291 | subsection (4) to s. 1006.12 as it was amended by s. 26,
4292 | ch. 2018-3, Laws of Florida, but did not publish the
4293 | introductory paragraph to the section added by s. 26, ch.
4294 | 2018-3. Absent affirmative legislative intent to repeal the
4295 | introductory paragraph of s. 1006.12, the section is
4296 | reenacted to confirm the omission was not intended.
4297 | Subsection (3) is amended to conform to s. 6, ch. 2018-3,
4298 | which directed the Division of Law Revision and Information
4299 | "to change references from 'school marshal program' to
4300 | 'Coach Aaron Feis Guardian Program' and references from
4301 | 'school marshal' to 'school guardian' wherever those terms
4302 | appear in this act."

4303 Section 126. Subsection (6) of section 1007.24, Florida
 4304 Statutes, is amended to read:
 4305 1007.24 Statewide course numbering system.—
 4306 (6) Nonpublic colleges and schools that are fully
 4307 accredited by a regional or national accrediting agency
 4308 recognized by the United States Department of Education and are
 4309 either eligible to participate in the William L. Boyd, IV,
 4310 Effective Access to Student Education ~~Florida resident access~~
 4311 grant or have been issued a regular license pursuant to s.
 4312 1005.31, may participate in the statewide course numbering
 4313 system pursuant to this section. Participating colleges and
 4314 schools shall bear the costs associated with inclusion in the
 4315 system and shall meet the terms and conditions for institutional
 4316 participation in the system. The department shall adopt a fee
 4317 schedule that includes the expenses incurred through data
 4318 processing, faculty task force travel and per diem, and staff
 4319 and clerical support time. Such fee schedule may differentiate
 4320 between the costs associated with initial course inclusion in
 4321 the system and costs associated with subsequent course
 4322 maintenance in the system. Decisions regarding initial course
 4323 inclusion and subsequent course maintenance must be made within
 4324 360 days after submission of the required materials and fees by
 4325 the institution. The Department of Education may select a date
 4326 by which colleges must submit requests for new courses to be
 4327 included, and may delay review of courses submitted after that

4328 | date until the next year's cycle. Any college that currently
4329 | participates in the system, and that participated in the system
4330 | prior to July 1, 1986, shall not be required to pay the costs
4331 | associated with initial course inclusion in the system. Fees
4332 | collected for participation in the statewide course numbering
4333 | system pursuant to the provisions of this section shall be
4334 | deposited in the Institutional Assessment Trust Fund. Any
4335 | nonpublic, nonprofit college or university that is eligible to
4336 | participate in the statewide course numbering system shall not
4337 | be required to pay the costs associated with participation in
4338 | the system. No college or school shall record student
4339 | transcripts or document courses offered by the college or school
4340 | in accordance with this subsection unless the college or school
4341 | is actually participating in the system pursuant to rules of the
4342 | State Board of Education. Any college or school deemed to be in
4343 | violation of this section shall be subject to the provisions of
4344 | s. 1005.38.

4345 | Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4346 | Florida, which directed the Division of Law Revision and
4347 | Information "to substitute the term 'Effective Access to
4348 | Student Education Grant Program' for 'Florida Resident
4349 | Access Grant Program' and the term 'Effective Access to
4350 | Student Education grant' for 'Florida resident access
4351 | grant' wherever those terms appear in the Florida
4352 | Statutes."

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4353 Section 127. Subsection (5) of section 1007.273, Florida
 4354 Statutes, is amended to read:

4355 1007.273 Collegiate high school program.—

4356 (5) In addition to executing a contract with the local
 4357 Florida College System institution under this section, a
 4358 district school board may execute a contract to establish a
 4359 collegiate high school program with a state university or an
 4360 institution that is eligible to participate in the William L.
 4361 Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
 4362 ~~Access~~ Grant Program, that is a nonprofit independent college or
 4363 university located and chartered in this state, and that is
 4364 accredited by the Commission on Colleges of the Southern
 4365 Association of Colleges and Schools to grant baccalaureate
 4366 degrees. Such university or institution must meet the
 4367 requirements specified under subsections (3) and (4).

4368 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
 4369 Florida, which directed the Division of Law Revision and
 4370 Information "to substitute the term 'Effective Access to
 4371 Student Education Grant Program' for 'Florida Resident
 4372 Access Grant Program' and the term 'Effective Access to
 4373 Student Education grant' for 'Florida resident access
 4374 grant' wherever those terms appear in the Florida
 4375 Statutes."

4376 Section 128. Paragraph (b) of subsection (3) of section
 4377 1008.31, Florida Statutes, is amended to read:

4378 1008.31 Florida's K-20 education performance
 4379 accountability system; legislative intent; mission, goals, and
 4380 systemwide measures; data quality improvements.-

4381 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide
 4382 data required to implement education performance accountability
 4383 measures in state and federal law, the Commissioner of Education
 4384 shall initiate and maintain strategies to improve data quality
 4385 and timeliness. The Board of Governors shall make available to
 4386 the department all data within the State University Database
 4387 System to be integrated into the K-20 data warehouse. The
 4388 commissioner shall have unlimited access to such data for the
 4389 purposes of conducting studies, reporting annual and
 4390 longitudinal student outcomes, and improving college readiness
 4391 and articulation. All public educational institutions shall
 4392 annually provide data from the prior year to the K-20 data
 4393 warehouse in a format based on data elements identified by the
 4394 commissioner.

4395 (b) Colleges and universities eligible to participate in
 4396 the William L. Boyd, IV, Effective Access to Student Education
 4397 ~~Florida Resident Access~~ Grant Program shall annually report
 4398 student-level data from the prior year for each student who
 4399 receives state funds in a format prescribed by the Department of
 4400 Education. At a minimum, data from the prior year must include
 4401 retention rates, transfer rates, completion rates, graduation
 4402 rates, employment and placement rates, and earnings of

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4403 graduates. ~~By December 31, 2013, the colleges and universities~~
4404 ~~described in this paragraph shall report the data for the 2012-~~
4405 ~~2013 academic year to the department.~~ By October 1 of each year
4406 ~~thereafter,~~ the colleges and universities described in this
4407 paragraph shall report the data to the department.

4408 Reviser's note.—Amended to delete obsolete language and to
4409 conform to s. 25, ch. 2018-4, Laws of Florida, which
4410 directed the Division of Law Revision and Information "to
4411 substitute the term 'Effective Access to Student Education
4412 Grant Program' for 'Florida Resident Access Grant Program'
4413 and the term 'Effective Access to Student Education grant'
4414 for 'Florida resident access grant' wherever those terms
4415 appear in the Florida Statutes."

4416 Section 129. Subsections (1), (2), (3), (4), and (5) of
4417 section 1009.89, Florida Statutes, are amended to read:

4418 1009.89 The William L. Boyd, IV, Effective Access to
4419 Student Education ~~Florida resident access grants.~~—

4420 (1) The Legislature finds and declares that independent
4421 nonprofit colleges and universities eligible to participate in
4422 the William L. Boyd, IV, Effective Access to Student Education
4423 ~~Florida Resident Access~~ Grant Program are an integral part of
4424 the higher education system in this state and that a significant
4425 number of state residents choose this form of higher education.
4426 The Legislature further finds that a strong and viable system of
4427 independent nonprofit colleges and universities reduces the tax

4428 | burden on the citizens of the state. Because the William L.
4429 | Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
4430 | ~~Access~~ Grant Program is not related to a student's financial
4431 | need or other criteria upon which financial aid programs are
4432 | based, it is the intent of the Legislature that the William L.
4433 | Boyd, IV, Effective Access to Student Education ~~Florida Resident~~
4434 | ~~Access~~ Grant Program not be considered a financial aid program
4435 | but rather a tuition assistance program for its citizens.

4436 | (2) The William L. Boyd, IV, Effective Access to Student
4437 | Education ~~Florida Resident Access~~ Grant Program shall be
4438 | administered by the Department of Education. The State Board of
4439 | Education shall adopt rules for the administration of the
4440 | program.

4441 | (3) The department shall issue through the program a
4442 | William L. Boyd, IV, Effective Access to Student Education
4443 | ~~Florida resident access~~ grant to any full-time degree-seeking
4444 | undergraduate student registered at an independent nonprofit
4445 | college or university which is located in and chartered by the
4446 | state; which is accredited by the Commission on Colleges of the
4447 | Southern Association of Colleges and Schools; which grants
4448 | baccalaureate degrees; which is not a state university or
4449 | Florida College System institution; and which has a secular
4450 | purpose, so long as the receipt of state aid by students at the
4451 | institution would not have the primary effect of advancing or
4452 | impeding religion or result in an excessive entanglement between

4453 | the state and any religious sect. Any independent college or
 4454 | university that was eligible to receive tuition vouchers on
 4455 | January 1, 1989, and which continues to meet the criteria under
 4456 | which its eligibility was established, shall remain eligible to
 4457 | receive William L. Boyd, IV, Effective Access to Student
 4458 | Education ~~Florida resident access~~ grant payments.

4459 | (4) A person is eligible to receive such William L. Boyd,
 4460 | IV, Effective Access to Student Education ~~Florida resident~~
 4461 | ~~access~~ grant if:

4462 | (a) He or she meets the general requirements, including
 4463 | residency, for student eligibility as provided in s. 1009.40,
 4464 | except as otherwise provided in this section; and

4465 | (b)1. He or she is enrolled as a full-time undergraduate
 4466 | student at an eligible college or university;

4467 | 2. He or she is not enrolled in a program of study leading
 4468 | to a degree in theology or divinity; and

4469 | 3. He or she is making satisfactory academic progress as
 4470 | defined by the college or university in which he or she is
 4471 | enrolled.

4472 | (5) (a) Funding for the William L. Boyd, IV, Effective
 4473 | Access to Student Education ~~Florida Resident Access~~ Grant
 4474 | Program for eligible institutions shall be as provided in the
 4475 | General Appropriations Act. The William L. Boyd, IV, Effective
 4476 | Access to Student Education ~~Florida resident access~~ grant may be
 4477 | paid on a prorated basis in advance of the registration period.

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4478 The department shall make such payments to the college or
4479 university in which the student is enrolled for credit to the
4480 student's account for payment of tuition and fees. Institutions
4481 shall certify to the department the amount of funds disbursed to
4482 each student and shall remit to the department any undisbursed
4483 advances or refunds within 60 days of the end of regular
4484 registration. A student is not eligible to receive the award for
4485 more than 9 semesters or 14 quarters, except as otherwise
4486 provided in s. 1009.40(3).

4487 (b) If the combined amount of the William L. Boyd, IV,
4488 Effective Access to Student Education ~~Florida resident access~~
4489 grant issued pursuant to this act and all other scholarships and
4490 grants for tuition or fees exceeds the amount charged to the
4491 student for tuition and fees, the department shall reduce the
4492 William L. Boyd, IV, Effective Access to Student Education
4493 ~~Florida resident access~~ grant issued pursuant to this act by an
4494 amount equal to such excess.

4495 Reviser's note.—Amended to conform to s. 25, ch. 2018-4, Laws of
4496 Florida, which directed the Division of Law Revision and
4497 Information "to substitute the term 'Effective Access to
4498 Student Education Grant Program' for 'Florida Resident
4499 Access Grant Program' and the term 'Effective Access to
4500 Student Education grant' for 'Florida resident access
4501 grant' wherever those terms appear in the Florida
4502 Statutes."

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4503 Section 130. Subsections (2) and (5) of section 1011.69,
4504 Florida Statutes, are amended to read:

4505 1011.69 Equity in School-Level Funding Act.—

4506 (2) ~~Beginning in the 2003-2004 fiscal year,~~ District
4507 school boards shall allocate to schools within the district an
4508 average of 90 percent of the funds generated by all schools and
4509 guarantee that each school receives at least 80 percent, except
4510 schools participating in the Principal Autonomy ~~Pilot~~ Program
4511 Initiative under s. 1011.6202 are guaranteed to receive at least
4512 90 percent, of the funds generated by that school based upon the
4513 Florida Education Finance Program as provided in s. 1011.62 and
4514 the General Appropriations Act, including gross state and local
4515 funds, discretionary lottery funds, and funds from the school
4516 district's current operating discretionary millage levy. Total
4517 funding for each school shall be recalculated during the year to
4518 reflect the revised calculations under the Florida Education
4519 Finance Program by the state and the actual weighted full-time
4520 equivalent students reported by the school during the full-time
4521 equivalent student survey periods designated by the Commissioner
4522 of Education. If the district school board is providing programs
4523 or services to students funded by federal funds, any eligible
4524 students enrolled in the schools in the district shall be
4525 provided federal funds.

4526 (5) After providing Title I, Part A, Basic funds to
4527 schools above the 75 percent poverty threshold, which may

4528 include high schools above the 50 percent threshold as permitted
4529 by federal law, school districts shall provide any remaining
4530 Title I, Part A, Basic funds directly to all eligible schools as
4531 provided in this subsection. For purposes of this subsection, an
4532 eligible school is a school that is eligible to receive Title I
4533 funds, including a charter school. The threshold for identifying
4534 eligible schools may not exceed the threshold established by a
4535 school district for the 2016-2017 school year or the statewide
4536 percentage of economically disadvantaged students, as determined
4537 annually.

4538 (a) Prior to the allocation of Title I funds to eligible
4539 schools, a school district may withhold funds only as follows:

4540 1. One percent for parent involvement, in addition to the
4541 one percent the district must reserve under federal law for
4542 allocations to eligible schools for parent involvement;

4543 2. A necessary and reasonable amount for administration
4544 which includes the district's indirect cost rate, not to exceed
4545 a total of 10 percent;

4546 3. A reasonable and necessary amount to provide:

4547 a. Homeless programs;

4548 b. Delinquent and neglected programs;

4549 c. Prekindergarten programs and activities;

4550 d. Private school equitable services; and

4551 e. Transportation for foster care children to their school
4552 of origin or choice programs; and

4553 4. A necessary and reasonable amount, not to exceed 1
 4554 percent, for eligible schools to provide educational services in
 4555 accordance with the approved Title I plan.

4556 Reviser's note.—Subsection (2) is amended to delete obsolete
 4557 language and to conform to the renaming of the Principal
 4558 Autonomy Pilot Program Initiative created in s. 1011.6202
 4559 as the Principal Autonomy Program Initiative by s. 30, ch.
 4560 2018-6, Laws of Florida. Paragraph (5) (a) is amended to
 4561 confirm the editorial restoration of the word "and" to
 4562 improve clarity.

4563 Section 131. Subsection (1) of section 1011.71, Florida
 4564 Statutes, is amended to read:

4565 1011.71 District school tax.—

4566 (1) If the district school tax is not provided in the
 4567 General Appropriations Act or the substantive bill implementing
 4568 the General Appropriations Act, each district school board
 4569 desiring to participate in the state allocation of funds for
 4570 current operation as prescribed by s. 1011.62(18) ~~1011.62(16)~~
 4571 shall levy on the taxable value for school purposes of the
 4572 district, exclusive of millage voted under s. 9(b) or s. 12,
 4573 Art. VII of the State Constitution, a millage rate not to exceed
 4574 the amount certified by the commissioner as the minimum millage
 4575 rate necessary to provide the district required local effort for
 4576 the current year, pursuant to s. 1011.62(4) (a)1. In addition to
 4577 the required local effort millage levy, each district school

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4578 board may levy a nonvoted current operating discretionary
4579 millage. The Legislature shall prescribe annually in the
4580 appropriations act the maximum amount of millage a district may
4581 levy.

4582 Reviser's note.—Amended to confirm the editorial substitution of
4583 a reference to s. 1011.62(18) for a reference to s.
4584 1011.62(16) in s. 1011.71(1), as amended by s. 110, ch.
4585 2018-110, Laws of Florida, to conform to the addition of a
4586 new subsection (16) to s. 1011.62 by s. 29, ch. 2018-3,
4587 Laws of Florida, and a new subsection (16), editorially
4588 redesignated as subsection (17), by s. 4, ch. 2018-10, Laws
4589 of Florida.

4590 Section 132. Paragraph (b) of subsection (2) and paragraph
4591 (a) of subsection (5) of section 1012.2315, Florida Statutes,
4592 are amended to read:

4593 1012.2315 Assignment of teachers.—

4594 (2) ASSIGNMENT TO SCHOOLS GRADED "D" or "F".—

4595 (b)1. ~~Beginning July 1, 2014,~~ A school district may assign
4596 an individual newly hired as instructional personnel to a school
4597 that has earned a grade of "F" in the previous year or any
4598 combination of three consecutive grades of "D" or "F" in the
4599 previous 3 years pursuant to s. 1008.34 if the individual:

4600 a. Has received an effective rating or highly effective
4601 rating in the immediate prior year's performance evaluation
4602 pursuant s. 1012.34;

4603 b. Has successfully completed or is enrolled in a teacher
4604 preparation program pursuant to s. 1004.04, s. 1004.85, or s.
4605 1012.56, or a teacher preparation program specified in State
4606 Board of Education rule, is provided with high quality mentoring
4607 during the first 2 years of employment, holds a certificate
4608 issued pursuant to s. 1012.56, and holds a probationary contract
4609 pursuant to s. 1012.335(2) (a); or

4610 c. Holds a probationary contract pursuant to s.
4611 1012.335(2) (a), holds a certificate issued pursuant to s.
4612 1012.56, and has successful teaching experience, and if, in the
4613 judgment of the school principal, students would benefit from
4614 the placement of that individual.

4615 2. As used in this paragraph, the term "mentoring"
4616 includes the use of student achievement data combined with at
4617 least monthly observations to improve the educator's
4618 effectiveness in improving student outcomes. Mentoring may be
4619 provided by a school district, a teacher preparation program
4620 approved pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a
4621 teacher preparation program specified in State Board of
4622 Education rule.

4623
4624 Each school district shall annually certify to the Commissioner
4625 of Education that the requirements in this subsection have been
4626 met. If the commissioner determines that a school district is
4627 not in compliance with this subsection, the State Board of

4628 Education shall be notified and shall take action pursuant to s.
 4629 1008.32 in the next regularly scheduled meeting to require
 4630 compliance.

4631 (5) REPORT.—

4632 (a) By July 1, ~~2012~~, the Department of Education shall
 4633 annually report on its website, in a manner that is accessible
 4634 to the public, the performance rating data reported by district
 4635 school boards under s. 1012.34. The report must include the
 4636 percentage of classroom teachers, instructional personnel, and
 4637 school administrators receiving each performance rating
 4638 aggregated by school district and by school.

4639 Reviser's note.—Amended to delete obsolete language.

4640 Section 133. Subsection (4) of section 1012.584, Florida
 4641 Statutes, is amended to read:

4642 1012.584 Continuing education and inservice training for
 4643 youth mental health awareness and assistance.—

4644 (4) Each school district shall notify all school personnel
 4645 who have received training pursuant to this section of mental
 4646 health services that are available in the school district, and
 4647 the individual to contact if a student needs services. The term
 4648 "mental health services" includes, but is not limited to,
 4649 community mental health services, health care providers, and
 4650 services provided under ss. 1006.04 and 1011.62(16) ~~1011.62(17)~~.

4651 Reviser's note.—Amended to correct an erroneous reference.

4652 Section 1011.62(16) relates to the mental health assistance

4653 allocation; subsection (17) relates to the funding
 4654 compression allocation.

4655 Section 134. Subsection (1) of section 1013.62, Florida
 4656 Statutes, is amended to read:

4657 1013.62 Charter schools capital outlay funding.—

4658 (1) For the 2018-2019 fiscal year, charter school capital
 4659 outlay funding shall consist of state funds appropriated in the
 4660 2018-2019 General Appropriations Act. Beginning in fiscal year
 4661 2019-2020, charter school capital outlay funding shall consist
 4662 of state funds when such funds are appropriated in the General
 4663 Appropriations Act and revenue resulting from the discretionary
 4664 millage authorized in s. 1011.71(2) if the amount of state funds
 4665 appropriated for charter school capital outlay in any fiscal
 4666 year is less than the average charter school capital outlay
 4667 funds per unweighted full-time equivalent student for the 2018-
 4668 2019 fiscal year, multiplied by the estimated number of charter
 4669 school students for the applicable fiscal year, and adjusted by
 4670 changes in the Consumer Price Index issued by the United States
 4671 Department of Labor from the previous fiscal year. Nothing in ~~is~~
 4672 this subsection prohibits a school district from distributing to
 4673 charter schools funds resulting from the discretionary millage
 4674 authorized in s. 1011.71(2).

4675 (a) To be eligible to receive capital outlay funds, a
 4676 charter school must:

4677 1.a. Have been in operation for 2 or more years;

4678 b. Be governed by a governing board established in the
4679 state for 2 or more years which operates both charter schools
4680 and conversion charter schools within the state;

4681 c. Be an expanded feeder chain of a charter school within
4682 the same school district that is currently receiving charter
4683 school capital outlay funds;

4684 d. Have been accredited by a regional accrediting
4685 association as defined by State Board of Education rule; or

4686 e. Serve students in facilities that are provided by a
4687 business partner for a charter school-in-the-workplace pursuant
4688 to s. 1002.33(15) (b) .

4689 2. Have an annual audit that does not reveal any of the
4690 financial emergency conditions provided in s. 218.503(1) for the
4691 most recent fiscal year for which such audit results are
4692 available.

4693 3. Have satisfactory student achievement based on state
4694 accountability standards applicable to the charter school.

4695 4. Have received final approval from its sponsor pursuant
4696 to s. 1002.33 for operation during that fiscal year.

4697 5. Serve students in facilities that are not provided by
4698 the charter school's sponsor.

4699 (b) A charter school is not eligible to receive capital
4700 outlay funds if it was created by the conversion of a public
4701 school and operates in facilities provided by the charter
4702 school's sponsor for a nominal fee, or at no charge, or if it is

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4703 | directly or indirectly operated by the school district.
4704 | Reviser's note.—Amended to confirm the editorial substitution of
4705 | the word "in" for the word "is" to improve clarity.
4706 | Section 135. This act shall take effect on the 60th day
4707 | after adjournment sine die of the session of the Legislature in
4708 | which enacted.